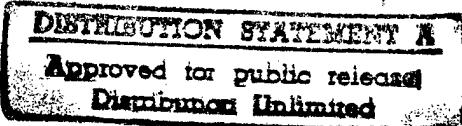


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LIMITED WAR THROUGH AIRPOWER AND THE POLITICAL
EXPLOITATION OF POWs

by

PAUL EDWARD BAUMAN, B.S.

A THESIS

IN

HISTORY

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of Texas Tech University in
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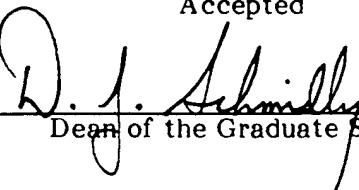
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TABLE OF CONTENTS

ACKNOWLEDGMENTS	ii
CHAPTER	
I. INTRODUCTION.....	1
II. LIMITED WARS, AIRPOWER, AND THE POLITICS OF PRISONERS OF WAR	11
III. HISTORY OF POWS AND THE DEVELOPMENT OF INTERNATIONAL LAW	40
IV. SON TAY POW RAID AND THE IMPORTANCE OF POLITICS IN LIMITED WAR	61
V. THE POLITICAL IMPACT OF POWS IN POST-VIETNAM LIMITED WAR EXPERIENCES	93
VI. CONCLUSIONS.....	119
BIBLIOGRAPHY.....	130

CHAPTER I

INTRODUCTION

This study examines the impact of US prisoners of war (POWs) upon the manner in which the United States conducts limited wars. POWs have long been dealt with as an afterthought in warfare. US failure to treat the POW issue with importance led to numerous occasions of shortsighted policy and unrealistic limited war goals. Some of these occasions include the Vietnam War, the 1983 retaliatory air strikes in Lebanon, and the 1995 Operation Deny Flight missions over Bosnia. The adverse impact of enemy exploitation of US POWs can compromise US limited war goals. Failure to anticipate POW exploitation and the political implications of POWs helped cause the failure of US policy during the Vietnam War and the Lebanon situation, and jeopardized US goals in Bosnia.

The United States must always anticipate the possibility of US servicemen becoming POWs in limited war situations. Although such a possibility is one risk of the military profession, the nation owes its servicemen more than long years in squalid prisoner of war camps in exchange for their dedication to America's goals and the defense of US interests. In political terms, the worth of a US POW in the hands of an enemy goes beyond the value of their life. A US prisoner of war represents significant political leverage for an enemy.

Prisoners can be used as bargaining chips in negotiations. As in Vietnam, the enemy can hold US POWs for years, using the prospect of their release to obtain a

beneficial political settlement to the limited war. POWs become virtual political hostages who the enemy hopes to exchange for reparations, ransom, or the preferential settlement of hostilities. POWs make possible such high-level demands because the United States government has a bond of trust with its military forces, the breaking of which would constitute a moral violation. The US has always placed a premium on establishing the moral high ground, and such a breach of faith with its servicemen would undermine their confidence and anger the American public.

Public sensitivity toward the treatment of US POWs also makes this issue important. Any administration that turned its back on US servicemen in captivity would be spurned by the voters. As demonstrated during the Vietnam War, the American public can and will voice its demands for the return of US POWs.

A further ramification of POWs is the restraint they impose on US military action during limited wars. The US must be careful where and when it uses its military power, most notably airpower, to limit the enemy's opportunities to capture US servicemen. Airmen are particularly susceptible to capture due to the inherent danger of flying over contested areas and behind enemy lines. Additionally, the presence of US POWs around critical enemy military installations could shield those installations from US attack. The concept of using POWs and other political hostages as "human shields" was popularized by Saddam Hussein in the Gulf War. In the Vietnam War, the North Vietnamese kept many of their US POWs in Hanoi, helping to shield the capital city from US bombardment.

Prisoners of war are easily exploited in limited war. Enemy propaganda can exert a significant influence upon world opinion. When American POWs are televised being paraded through enemy cities, our international credibility suffers. When the enemy compels US POWs to make antiwar statements, it hurts America's image. International alliances, agreements, and diplomacy may be shaken by America's perceived inability to handle limited war situations. US international credibility was damaged when Cambodia seized the US flag merchant ship *Mayaguez* and its crew in 1975. Not only other Asian nations such as South Korea and the Philippines, but also America's European allies, questioned US resolve. When the enemy successfully demands concessions for US POWs, it undermines the US position in other international agreements. America's allies question our ability to carry out treaty requirements in light of America's POW concessions.

Enemy POW propaganda also affects US public opinion. When the enemy compels US POWs to make statements against the war and the US government, it influences the American public. Skillful use of such propaganda can cause a loss of popular support. When a limited war becomes unpopular, the government which continues to pursue it loses public support. This dynamic can lead to an adjustment of US war aims in order to placate the public. If enemy manipulation of US POWs contributed to the public disaffection, then enemy political strategy must be credited with influencing US policy.

Since World War II, the existence of US POWs in limited conflicts has caused the US government considerable political turmoil. American POWs were used as political

pawns in negotiations, restrained US military action, and influenced world and domestic opinion. The United States government should have planned, and must continue to plan, for the POW eventuality as a “worst-case” scenario when committing military forces, especially airpower, to limited war situations.

The US government has on many occasions since World War II called on airpower to carry out US policy. Airpower’s fast reaction time and long range made it appealing for limited war scenarios. From Vietnam bombing campaigns to the retaliatory strikes against Lebanon, airpower has proven its ability to underscore US policy. However, the susceptibility of airmen to capture has called its merits into question.

Ideally, the enemy would respect international law and the rights of POWs. The Geneva Conventions specifically call for humanitarian treatment of POWs and the international supervision of that treatment. However, America’s enemies in recent decades have chosen to ignore the Geneva Conventions and have used US POWs for political leverage. US involvement in Korea, Vietnam, and the Gulf War provide excellent examples of enemy exploitation of American POWs. Study of POW political exploitation in limited wars may assist the United States in closing the gap between the internationally agreed standards and the actual treatment US POWs have received.

A synopsis of current international agreements to preserve POW rights highlights the utter disregard of certain signatories for those rights. The history of POWs also illustrates the barbarity directed at POWs and the steady improvement of POW treatment until after World War II. There has been an alarming decline in POW treatment since 1945. This study highlights this trend in order to call attention to the need for more

international agreements and an enforcement of the agreements already in place. It has been suggested that a method of enforcement is the only way to ensure wider compliance with existing and future international agreements on POWs.

In addition to the examination of modern limited warfare and its political environment, this study will concentrate on the problem of repatriating POWs after their capture. It will investigate three methods for obtaining the release of POWs: military victory, negotiations, and rescue. The primary goal of these three methods is to obtain POW repatriation and thus to prevent the political exploitation of US POWs by the enemy.

In limited warfare, POWs have become particularly important bargaining chips in the conflict termination negotiation process. Warfare is a political act and must be viewed as a conflict of policy in which the nations involved resort to the use of force to achieve their goals. With the advent of nuclear weapons, total war has the potential for the destruction of mankind. To avoid this dreadful possibility, post-World War II belligerents have exercised restraint, and thus the resultant wars have been limited with respect to the use of military power. However, in this new environment, America's enemies have expanded the political aspects of warfare, including the exploitation of POWs.

In order to investigate the political use of POWs, this thesis presents a case study of the Son Tay raid. The Vietnam War was a trying time for US foreign policy and posed a serious challenge to the US government. The US entered the Vietnam War to keep its

commitment for a free and independent South Vietnam.¹ United States airpower was used in an attempt to stop the North Vietnamese from supporting the insurgency in South Vietnam. As a result of sustained bombing campaigns, hundreds of US airmen were shot down and captured. These US POWs were known to be languishing in North Vietnamese prison cells. The Democratic Republic of Vietnam (DRV) used torture and other POW mistreatment to create favorable propaganda. Their efforts were working as the American public was becoming increasingly polarized, and the antiwar effort gained strength. DRV propaganda was not the sole cause of the antiwar movement, but it greatly aided it. The Nixon administration attempted to repatriate some US POWs in November 1970 with a raid on the Son Tay POW compound in North Vietnam.

This thesis does not examine the tactical planning and execution of the Son Tay raid; rather, it focuses on the political environment that created the need for such an operation, as well as the implications of the raid. The Nixon administration sought an honorable withdrawal from the war, yet it could not end the war until it secured the release of US POWs. The DRV was unwilling to negotiate the war's end, much less the return of POWs, until the US and South Vietnam gave in to North Vietnamese demands. Thus, the US was held hostage as a belligerent until it capitulated to DRV demands. In other words, the US could not leave the war until it regained its POWs, and North Vietnam would not release US POWs until it received assurances that their demands would be met. Once the US agreed to withdraw from South Vietnam and abandoned its

¹ H. R. McMaster, Major, USA, *Dereliction of Duty: Lyndon Johnson, Robert McNamara, the Joint Chiefs of Staff, and the Lies That Led to Vietnam* (New York: HarperCollins, 1997), 184.

principal military commitment to a free and independent South Vietnam, the DRV negotiated for the return of US POWs. Thus, US war aims ultimately were compromised in order to gain the release of our POWs.

In Vietnam, American POWs diverted the public's attention from sustaining South Vietnamese independence to achieving the return of US POWs. Rather than supporting continued government prosecution of the war, the public shifted its focus to demanding the release of the POWs. The public outcry put pressure on the government to end the war rather than achieve the war's goals. Americans placed a higher value on US POWs than a free and independent South Vietnam. If the government could deny the enemy the luxury of American POWs, one of the drawbacks of the air war would be eliminated. This, in addition to the US government's moral responsibility to secure the return of captured servicemen, was the aim of the Son Tay raid.

The Son Tay raid provides an excellent case study of how the United States should react in an air war. The United States was trying to exit the war. The Nixon administration was conducting negotiations in Paris with the North Vietnamese, but it was unable to secure an acceptable agreement for the return of all US POWs.

Unsuccessful in his attempts to free the US POWs through negotiation, Nixon opted for military action. The military designed the raid to rescue American POWs thought to be held at the Son Tay prison camp. The results of the raid were mixed. No POWs were rescued, but in the process the United States demonstrated its resolve and its capability. Further, US prisoners learned that their nation had not abandoned them, giving them the strength and fortitude to continue surviving.

Son Tay addressed several issues which were important in 1970 and remain important today. What did the Son Tay raid say about POWs in an air war? What must a President be prepared to do in the prosecution of an air war? What are the probable ramifications of POWs in the hands of the enemy, especially an intransigent enemy? How does the United States deal with such an enemy? What are the current international agreements concerning POWs, and why are they not effective in protecting the human rights of POWs?

Existing POW literature is surprisingly devoid of any modern POW experiences since the Vietnam War. The plight of POWs in Vietnam and their sufferings at the hands of the North Vietnamese are well covered. Many of the books examine the theory that North Vietnam did not release all US POWs, while others strongly refute that theory. However, there is no significant work whose main thesis concerns the political use of prisoners in limited warfare, and how their unprincipled exploitation could spell disaster for US foreign policy.

Primary sources for this thesis are limited; there is little written about politics and POWs, or the shortcomings of the existing Geneva Conventions. US government hearings and official communiqués from North Vietnam have helped to enlighten the political aspects of POW situations. US government responses to North Vietnamese refusals concerning POW negotiations show the depth of the US government's frustration over the POW issue. US government hearings chronicle the feeling of helplessness from ordinary Americans to the President. The US simply did not have sufficient leverage to overcome the powerful DRV political position.

Most of the primary source information for the analysis of the Son Tay raid has been drawn from government documents and DRV communiq  s. A close examination of Son Tay shows that the raid was, in many ways, a success. Even though the immediate objective was not achieved, Son Tay laid the groundwork for future commitment to the repatriation of American POWs by any means. This commitment is important not only to servicemen, but also to political leaders who commit American servicemen and women to battle. The large majority of US POWs held by the DRV were airmen shot down over North Vietnam. In that respect, both the Son Tay raid and the Vietnam War provide an excellent case study concerning the political ramifications of this aspect of airpower. Further, the Son Tay objectives foreshadow some of the objectives formulated later for the use of airpower.

As a primary source, *The Raid*, by Benjamin Schemmer (1976), provides some background to the raid, but mostly concentrates on tactical preparations and the raid's operational concerns. As a political study, *The Raid* is inadequate; however, if combined with a political study, *The Raid* offers an excellent view of military operations driven by political necessity.

Numerous newspaper and journal articles have helped to describe the common American's opinion and the government's official position during the many POW and limited war crises since World War II. Since public opinion is such an important aspect in the relationship between politics and limited war, these sources proved indispensable for understanding the connection between North Vietnamese POW propaganda, American public opinion, and US government policy concerning POWs.

The last major area of source material is prisoner interviews. The personal insights of US servicemen held in North Vietnam at the time of the Son Tay raid helped to clarify the results of the operation. The actual effectiveness of the raid and its influence on North Vietnamese attitudes are important considerations for any future raids. A POW rescue mission is an important step for controlling the overall political impact of POWs. The enemy's perception of US rescue capability may significantly influence an enemy's perceived political influence over actual or potential negotiations. These first-hand observations of former US POWs were used to help determine North Vietnam's perception of US rescue capability.

After examining the history of politics, POWs, and limited warfare, some conclusions about US policy will be presented. The conclusions will address the level of US government sensitivity to the plight of POWs, and trends in POW policy. This study will also examine whether the American government has developed limited war policies consistent with the political restraints likely to be imposed by enemy capture of POWs in limited warfare.

CHAPTER II

LIMITED WARS, AIRPOWER, AND THE POLITICS OF PRISONERS OF WAR

For the United States, warfare since World War II has developed on many levels. Conflicts in which the United States has been involved were “militarily limited in scope and objectives but waged politically across a wide national and international spectrum.”¹ Limited wars are those where the ultimate aim is not the complete defeat of the enemy, but rather the attainment of US national goals through “means involving far less than the total military resources of the belligerents.”²

The Korean War and Vietnam War represent one end of the limited war spectrum. In Korea, at least initially, the national aim was the preservation of the Republic of Korea. To that end, US forces were committed to South Korean territory. In Vietnam, America’s goal was multifaceted, but still of a limited nature. Rather than espousing the complete destruction of North Vietnam, the US wanted to establish a viable democracy in South Vietnam which would serve to contain the spread of communism in Southeast Asia. In Vietnam, “in terms of manpower committed, weapons used, and targets attacked, the United States deliberately refrained from exploiting its readily available military

¹ Robert M. Krone, Col., USAF, “Politics and Prisoners of War,” *Air University Review* 21, No. 3 (1970), 80.

² John C. Garnett, “Limited ‘Conventional’ War in the Nuclear Age,” in *Restraints on War: Studies in the Limitation of Armed Conflict*, ed. Michael Howard (Oxford: Oxford University Press, 1979), 79.

strength.”³ This end of the limited war spectrum is characterized by large troop deployments and a commitment of national assets on a scale approaching that of a total war. The wars in this category are also lengthy affairs with large numbers of US casualties.⁴

At the other end of the spectrum, the United States has become involved in low intensity conflicts around the globe: Cambodia, El Salvador, Guatemala, Lebanon and Dominican Republic to name just a few. Low intensity conflicts are best interpreted as a subset of limited wars which comprise the low end of the limited war spectrum. These small conflicts were also limited in scope and duration, on a very different scale than the large conflicts of Korea or Vietnam. In May 1975, the US registered cargo ship *Mayaguez* was seized by Cambodia.⁵ In a carefully limited and measured response, US forces mounted retaliatory raids and a rescue attempt. In another instance, Navy Lieutenant Robert O. Goodman was shot down over Lebanon in December 1983 while

³ Garnett, “Limited ‘Conventional’ War in the Nuclear Age,” 81.

⁴ A distinction could be made between Korea and Vietnam on the limited war spectrum. From the beginning, the Korean War was a conventional war with large concentrations of conventional forces facing each other in battle over clearly defined front lines. From beginning to end the war was on the high end of the limited war spectrum. The beginning of the Vietnam War, however, was much different. What started as American economic and military aid to stem the tide of insurgency, grew to encompass US military advisors and US combat forces in conventional warfare. While the Vietnam War was low on the limited war spectrum from about 1960 to 1965, the war steadily grew in scale until establishing its place on the high end of limited war. Vietnam demonstrates that the scope of a war can shift with respect to its place on the limited war spectrum.

⁵ Earl H. Tilford, Jr., *Search and Rescue in Southeast Asia, 1961-1975* (Washington, D.C.: Office of Air Force History, 1980), 146.

conducting an air raid against Syrian antiaircraft positions.⁶ These are examples of limited warfare since the US had no desire to utterly defeat Cambodia or Syria in an armed confrontation. The *Mayaguez* seizure and US raids in Lebanon represent the minimal end of the limited war spectrum: they were of short duration and required a small number of US military members.

American conflicts since World War II have fallen somewhere in the spectrum defined by these conflicts. One example of a limited action that fell in the middle of the spectrum was the Persian Gulf War in 1991. In that conflict, United States and coalition policy was limited to securing the independence of Kuwait, not the total destruction of Iraq. The Persian Gulf War falls in the center of the limited war spectrum since the number of US casualties was low, the duration of hostilities was relatively short, and yet the US troop commitment was extremely high. Other US military actions since 1945 include the invasion of Grenada, the restoration of “democracy” in Panama and Haiti, and the peace-keeping efforts in Somalia and Bosnia-Herzegovina, to name just a few.⁷ All were limited warfare scenarios due to the political direction given to the military by the commander-in-chief.

Warfare can be limited for many reasons. One of the most frequent limiting factors in conflict has been politics. Warfare has been regarded as a violent form of

⁶ *New York Times*, 4 December 1983.

⁷ The restoration of “democracy” could be argued, although that was the goal stated to the American public. It has been suggested that the US government simply wanted to restore a degree of stability to places like Haiti and Panama, but needed to use the term “democracy” to enlist popular support from the American people.

politics since the theories of Carl von Clausewitz gained currency in the 19th century. Clausewitz “regarded war as an extreme but natural expression of policy” and is best known for his aphorism that “war is merely the continuation of policy by other means.”⁸ The *policy* of which Clausewitz spoke was national policy or national goals. The importance of politics in limited war was also asserted by Henry Kissinger when he wrote, “the characteristic of a limited war...is the existence of ground rules which define the relationship of military to political objectives.”⁹ Thus, political objectives play a major role in determining the way military forces are used in armed conflict and at the same time define the manner in which the war will be limited. “Using the broad definition of ‘political,’ one can say that war, in all its aspects, is a political act to achieve a nation’s objectives and impose its will on an enemy or prevent him from doing the same.”¹⁰

Placing all forms of warfare within a political context is crucial to understanding why prisoners of war (POWs) have become political tools for past and potential enemies of the US. The enemy’s basic motivation for POW treatment has stemmed from their desire to exploit every possible political angle to achieve victory. The fact that modern US military involvement has remained within the limited war spectrum has led our enemies to pursue victory through political action as well as military means. This policy

⁸ Peter Paret, ed., *Makers of Modern Strategy from Machiavelli to the Nuclear Age* (Princeton: Princeton University Press, 1986), 187, 200.

⁹ Garnett, “Limited ‘Conventional’ War in the Nuclear Age,” 85.

¹⁰ Krone, “Politics and Prisoners of War,” 75.

of expanding warfare in politics has naturally led to the concomitant political exploitation of US POWs.

The distinct possibility exists that once a nation has established its goals and a policy to attain those goals, they will be at odds with other nations' goals and policies. Since World War II, the US has dealt with these differences with other nations in many ways—diplomatically, economically, militarily, or any combination of these or other methods. One of the specific ways in which the US has dealt with foreign policy problems is through the use of airpower. Certainly, there are many situations where different methods were used, but for the purpose of this study, airpower will be examined for its uses in the enforcement of US national policy, and more importantly the significance of US POWs in the military actions precipitated by that enforcement.

Before proceeding, it is necessary to explain a few characteristics of airpower to demonstrate why airpower came to be so useful for the enforcement of US policy. Airpower, first of all, encompasses all air assets regardless of the military branch to which they belong. Air Force, Navy, Army, and Marine Corps aviation units are all included in the overall label of *airpower*. Airpower has certain unique capabilities which make it ideal for use in limited warfare, whether a retaliatory strike such as Lebanon or a massive bombing campaign like the Persian Gulf War.

Airpower's inherent characteristics such as speed, range, and maneuverability greatly enhance its combat capability. Airpower is not forced to abide by the traditional 3:1 advantage ratio used between attacking and defending forces. Colonel Philip S. Meilinger, from the School of Advanced Airpower Studies, notes, "unlike on the surface,

the air defender has no implicit advantage—passive defense is impractical. Whereas the attacker can strike virtually anything, the defender is limited to striking the attackers.”¹¹ Since airpower is not restricted by front lines, it therefore has virtually no limitations on targets to attack. “The immensity and tracklessness of the sky allows one to strike from any direction.”¹² Terrain, whether it be plains, mountains, desert, or water, does not inhibit the movement of air forces. Due to the fact that air defenders have no advantage like ground defenders, airpower has tremendous economy of force. Rather than committing three times the number of units the defense possesses to an attack, airpower can attack three targets by simply matching the defensive numbers of the enemy. Airpower is an often used tool in limited warfare because of its economy of force and its boundless freedom of movement.

Another airpower advantage is its ability to get through to a target. In World War II, “even when Eighth Air Force bombers suffered ‘disastrous’ losses in strikes against Schweinfurt in 1943, over 85 percent of the bombers penetrated enemy defenses and struck their targets. Surface forces, on the other hand, generally either break through or are repelled—all or nothing.”¹³ Since airpower can utilize the third dimension, there is no breakthrough to be made—airpower simply proceeds to and from targets in the least observable fashion. Add to this characteristic the ability of one attack aircraft to put

¹¹ Phillip S. Meilinger, Col., USAF, *10 Propositions Regarding Air Power* (Maxwell AFB, Ala.: Air Force History and Museums Program, 1995), 16-17.

¹² Meilinger, *10 Propositions Regarding Air Power*, 15.

¹³ Meilinger, *10 Propositions Regarding Air Power*, 16.

several tons of high explosive on a target and one can begin to understand the effectiveness of airpower. In limited warfare, air strikes can be conducted with multiple aircraft and a high assurance of at least one or more aircraft reaching the target. As US technology advances, airpower will simply become more potent. Already the combination of stealth technology and precision guided munitions, like laser guided bombs, makes airpower an appealing and devastating choice for the enforcement of US policies around the globe.

Airpower has the ability, like no other facet of limited war, to utilize the fourth dimension—time. So swift and versatile is airpower, that it can achieve not only surprise, but shock. “Air power is the most effective manager of time in modern war because of its ability to telescope events. It produces shock.”¹⁴ Air forces can quickly move from one target to the next, or continuously attack a single target. In either event, airpower can increase the tempo of combat operations to a feverish rate—striking and restriking enemy targets, not allowing the enemy to recover before the next air barrage arrives. According to Colonel Meilinger, “this conquest of time by air power provides surprise, and surprise in turn affects the mind, causing confusion and disorientation.”¹⁵ The unique ability of airpower to compress the tempo of operations by orders of magnitude, makes it ideal for limited warfare of short duration. While the enemy is seeking to marshal his forces for defense or attack, US airpower will already have him reeling from multiple attacks.

¹⁴ Meilinger, *10 Propositions Regarding Air Power*, 29.

¹⁵ Meilinger, *10 Propositions Regarding Air Power*, 31.

Finally, airpower in warfare has the ability “to strike targets across the entire depth and breadth of an enemy country.”¹⁶ Air forces need not pull out of one battle in order to be used in another. The speed and range of airpower allows it to shift from one target location to another without changing its base of operations. Additionally, airpower can shift from a strategic mission to a tactical mission and vice versa. “Although one never refers to a tactical and strategic army or navy, one does talk of tactical and strategic air forces. It is of great significance that one can do so, acknowledging air power’s flexibility.”¹⁷

Due to the flexibility of air forces, they have a wide range of capabilities in limited warfare. The actual mission conducted depends upon the message that national politics wishes to send and the national goals that need to be showcased. Airpower has the ability to quickly and efficiently demonstrate national policy to a foreign power. Strategic targets such as weapons facilities or industrial plants can be attacked to demonstrate the seriousness of US intentions such as the attacks on Iraqi nuclear and chemical weapons sites in the 1991 Persian Gulf War. On the other hand, tactical targets like individual enemy fighters can be attacked to show national policy, without igniting a deeper conflict. An example of this would be the shooting down of two Libyan fighters in the Gulf of Sidra in 1986.

The advantages of airpower seem very clear when debating its use for limited warfare. However, as with any method tailored to enforce national policy, there is usually

¹⁶ Meilinger, *10 Propositions Regarding Air Power*, 37.

¹⁷ Meilinger, *10 Propositions Regarding Air Power*, 36.

a downside. Airpower has potential disadvantages that are politically dangerous for a nation to tolerate. Airpower is not effective in certain types of conflicts at the minimal end of the limited war spectrum. Insurgencies, for example, do not allow airpower to use its advantages. Insurgencies are best described as the armed organic expression of political disaffiliation.¹⁸ The enemy is comprised of armed insurgents or guerrillas who along with their centers of power are not easily identified. In these conflicts, enemy targets are difficult to find. If the enemy's location is determined, it is frequently co-located with innocent civilians and uninvolved civilian buildings. Unless the US is prepared for the negative effects of civilian casualties and collateral damage, airpower is difficult to wield in these situations. In addition, insurgencies are best defeated by convincing the insurgents that their cause for disaffection is ill-founded or will be changed to their satisfaction. Conventional military action against the insurgents will most likely strengthen the insurgents' fortitude. Thus, bombardment—with airpower, naval vessels, or artillery—is not likely to convince the insurgents that the circumstances for their armed struggle have improved.

Vietnam best depicted the ineffectiveness of airpower in an insurgency situation. The RVN government was fighting an insurgency against Communist sponsored guerrillas. US combat forces, especially airpower and artillery units, expended huge amounts of ordnance in South Vietnam trying to destroy the insurgents and in North Vietnam, Laos, and Cambodia attempting to deny supplies to the southern insurgents.

¹⁸ Larry E. Cable, *Unholy Grail: The US and the Wars in Vietnam, 1965-8* (New York: New York University Press, 1986), 6.

The wholesale destruction from bombing claimed insurgents and innocents alike.

Vietnam illustrated the inability of airpower to deal with low-intensity conflicts like insurgencies.

Additional, closely related disadvantages of airpower are possible collateral damage to structures not associated with the intended target and possible civilian casualties due to collateral damage in the target area. These unfortunate eventualities are as unavoidable as friendly fire incidents during military operations. The death of civilians in a military operation applies great pressure on national policy and thus the policy makers, or government leaders. If they occur during insurgencies, civilian deaths and collateral damage also alienates the population whose support is needed to defeat the insurgency. The negative political backlash due to collateral damage or civilian casualties might bring such fierce opposition from world opinion that the intended positive result may not be realized.

World opinion is not the only worry of politicians who order the use of airpower in the name of national goals. National opinion can be at least as strong, if not stronger, than world opinion. National opinion is the attitude of the majority of the people in the United States. The attitude of the public toward the use of US military power encompasses many aspects including support for or opposition to a specific military operation. The support the public gives its national leaders and the military depends partly on the results of the initial military engagement. If initial military action results in high casualty rates and failed objectives, national opinion will be negative. The public probably will not support the military action unless American vital interests are involved

to the point of individual citizens fearing for their security and freedom. If America's vital interests are involved, the cause for war will seem just, allowing the public to tolerate some setbacks.

In World War II, the American public was solidly behind the declaration of war and the national policy of warfare against the Axis powers. National opinion supported military action despite the horrendous losses and poor performance of US military forces when the US entered the war. Why did Americans throw their support behind an action that would obviously cost many lives and cause great hardships? The majority of individual Americans felt that their security and freedom were threatened by Axis aggression. National opinion ran high in support of national policy. The Vietnam War stood in stark contrast to World War II. As in World War II, US military forces took losses and did not meet early success. Public opinion, however, was not as supportive of US action in the Vietnam War as it was during World War II.¹⁹ The majority of Americans never felt that their security or freedom was threatened, and were more concerned about American lives being lost in a situation they saw as less than vital to US interests. Lack of military success simply added fuel to the public's burning questions about the war. Was it right to be fighting in Vietnam? Should the US be involved?

¹⁹ A search of Gallup Poll data between May 1964 and March 1968 shows no significant or long-lasting support for the war or President Johnson's handling of the war. George H. Gallup, *The Gallup Poll: Public Opinion 1935-1971* (New York: Random House, 1972), 1882-2164. Even prior to the enemy's Tet Offensive at the end of January 1968, 49% of the US public disapproved of President Johnson's handling of the war as compared to only 39% who approved. Gallup, *The Gallup Poll*, 2099.

In the case of airpower, negative national opinion enters the equation when air strikes result in the loss of friendly pilots and aircrew. This loss can be due either to enemy capture after a shootdown or to the aircrew's death in action. If the scenario resulted in the death of the pilot and crew, the aircrew's family and public will be unhappy and displeased at the loss of an American sent in harm's way. But at the very least, the enemy can not claim more than a small victory in the downing of an aircraft. This alone is a political victory of sorts for the enemy, but a short-lived one. After the American aircraft is shot down all parties go about recovering from the incident. The only political offshoots are the result of the actual success or failure of the particular air strike mission, any collateral damage, or propaganda spun out by either side.

Vietnam provides an excellent example of this. The DRV exploited every aircraft they shot down for maximum publicity. The DRV ensured that the world media saw the crash sites to guarantee international dissemination of news of the American loss. The North Vietnamese also issued Foreign Ministry statements to vilify the "U.S. imperialists" and condemn the actions of "U.S. air pirates" which had a negative impact on US national opinion. Through skillful exploitation of such news, the DRV added legitimacy to its cause and strengthened its belief that America could be defeated.

However, should the US air strike result in the capture of the pilot or any crew member, the enemy has an important human asset which has tremendous propaganda potential. Not only can the enemy claim a military victory in the shooting down of a US aircraft, but also it is able to reap the political benefits of a prisoner of war. In warfare, the enemy might claim many victories, but world opinion remains fairly unmoved until

evidence is provided. The presence of POWs substantiates enemy claims however distorted they may be, and the US government must absorb a concomitant loss of credibility.

In the POW, the enemy controls a valuable asset, an American serviceman, whose freedom the US seeks. The basis of warfare is founded on compelling one nation to accept its opponent's policy. POWs complicate the process because their existence gives the enemy important leverage in deciding the outcome of the war. The government, the military, the POW's family, and the general public want the POW back.

Public opinion can be a very powerful force as demonstrated during the Vietnam War. "It is now widely accepted that the Vietnam War was not lost in Vietnam, but was lost in the United States where an increasingly hostile public opinion eventually forced the American Government to abandon even its limited objectives."²⁰ The presence of American prisoners in Vietnam was a major reason for the public outcry. Those POWs were US citizens, and the public wanted them returned. Rather than trying to achieve the limited war aims under which the conflict started, the US now found itself in the

²⁰ Garnett, "Limited 'Conventional' War in the Nuclear Age," 87. US limited war goals for the Vietnam War were to coerce North Vietnam into ending its support for the insurgency in South Vietnam, and to compel North Vietnam to seek peace on terms satisfactory to the US and South Vietnam. H. R. McMaster, Major, USA, *Dereliction of Duty: Lyndon Johnson, Robert McNamara, the Joint Chiefs of Staff, and the Lies That Led to Vietnam* (New York: HarperCollins, 1997), 160. In the end, the 1973 Paris cease-fire agreement allowed 250,000 North Vietnamese troops to remain in South Vietnam, Laos, and Cambodia. Robert D. Schulzinger, *A Time for War: The United States and Vietnam, 1941-1975* (New York: Oxford University Press, 1997), 310. Allowing such a staggering number of enemy troops to remain in a threatening position to South Vietnam proves the failure of a peace satisfactory to the US and South Vietnam. It also shows the inability of the US to compel the cessation of North Vietnam's support for the southern insurgency.

uncomfortable position of needing to coerce the enemy to return friendly POWs.

Moreover, the US needed to force the DRV to treat US POWs humanely until they were repatriated. Thus, the POW issue became an additional topic for diplomatic discussion, detracting from the peace talks concerning US war aims.

Why does the US have to secure the repatriation of its POWs? Quite simply, the people and the government of the US owe it to the military member. Members of the US armed forces took an oath to protect the United States. Just as members of the military have an obligation to their country under the Code of Conduct, the US government has an equal responsibility to keep faith with its military members. According to the *Code of the US Fighting Force*, a Department of Defense pamphlet written to explain to military members their duties in a POW situation,

[The government will] stand by you as you fight for your country. If you are unfortunate enough to become a prisoner of war, you may rest assured that your government will care for your dependents and will never forget you. Furthermore, the government will use every practical means to contact, support and gain release for you and for all other prisoners of war.²¹

This Department of Defense statement is quite clear on the obligations of the US government to its military personnel. To further explain the depth to which this principle is felt by the government, in 1971 Secretary of Navy John H. Chafee said the following about US POWs during the Vietnam War:

We sent these men on the missions which resulted in their capture; that they are where they are and have suffered as they are is a result of bravely carrying out the national policy of the United States.

²¹ American Forces Information Service, *Code of the U.S. Fighting Force* (Washington, D.C.: Department of Defense, 1988), 2.

These men are our fellow citizens, our comrades, our shipmates. They must know, the world must know—and the enemy must know—that we will never forget nor abandon them, that we will hold their captors fully responsible, and that this war which we all abhor will not be over until our men have been returned to us.²²

This quote underscores what became a new policy for American negotiators in limited warfare. The war will not be over until the POWs are returned home—even if the war aims have been achieved. Recovery of POWs has become a new war aim which needs to be achieved in the negotiation for peace.

In return for such high level promises, American military personnel are obligated “to oppose all enemies of the United States in combat or, if a captive, in a prisoner of war compound.”²³ American military forces are committed to fighting their nation’s enemies. They are not allowed to surrender unless “all reasonable means of resistance [are] exhausted...with certain death the only alternative.”²⁴ This is the warrior’s obligation. This is the soldier’s part of the overall pact between military members and the US government and its people.

Even if this agreement was the only reason why the US government tried to get its POWs back, it would be enough. Imagine what the state of relations would be between US military forces and the US government if the government simply chose not to care or bore no responsibility for securing the freedom of its captured service members. The

²² John H. Chafee, “P.O.W. Treatment: Principles Versus Propaganda,” *U.S. Naval Institute Proceedings* 97, No. 7 (1971): 17.

²³ American Forces Information Service, *Code of the U.S. Fighting Force*, 2.

²⁴ American Forces Information Service, *Code of the U.S. Fighting Force*, 6.

bond of loyalty between the US government, which is the embodiment of the American people in a representative government, and US military service members would suffer. This is not to say that US military forces would cease to be loyal to the American government, but something in the bond of trust between the service member and the government would be lost.²⁵ Military members gain a measure of security in knowing their government is behind them, even after possible capture and imprisonment at the hands of the enemy.

The US government's promise to "never forget" its POWs is not the only reason it should want to repatriate its captive Americans as soon as possible. Since World War II, POWs have become a political tool in the hands of the enemy. Prior to and during World War II, the enemy extracted operational intelligence from POWs to help the enemy war effort. More recently, however, POWs have been exploited by the enemy for political gain. International agreements such as the Geneva Convention of 1949 have done little to preserve the human rights of US POWs.

Contrary to the spirit of the Geneva Convention, enemies engaged by U.S. forces since 1950 have regarded the POW compound as an extension of the battlefield. In doing so, they have used a variety of tactics and pressures, including physical and mental mistreatment, torture and medical neglect, to exploit POWs for propaganda purposes, to obtain military information or to undermine POW organization, communication and resistance.²⁶

²⁵ Many men and women that served and continue to serve in the US armed forces did so out of a strong sense of patriotism, and this argument is not meant to demean the motivation for their service in any way. The fact is that knowing the government stands fully behind its armed forces, makes it easier for members of the armed forces to perform their combat duties, realizing the possibility of capture exists.

²⁶ American Forces Information Service, *Code of the U.S. Fighting Force*, 8.

Since the Second World War the US has fought only limited wars, and this type of conflict seems to have evolved a different outlook of foreign nations toward US POWs. American adversaries now look toward a POW “as a political pawn to be exploited in the propaganda, public opinion, or bargaining facets of modern limited war.”²⁷

It is not exactly known why this change has occurred, but several reasons have been put forward. Enemies of the US have tried to make use of US POWs in ways that would weaken US support at home for the war abroad. “In the aftermath of the Korean War, Communist attempts to use prisoners of war and their families to weaken the opposition came more clearly into focus.”²⁸ America’s enemies had decided to use POWs as a means of waging political war against America. As a democracy, US policy is vulnerable to American public opinion. By forcing US POWs to read anti-war statements and by not following the Geneva Conventions, these enemies attempted to divide the public and cause enough opposition that the US government would be forced to concede its war aims in order to placate the public.

US efforts to repatriate its POWs to minimize their political and propaganda use in the hands of the enemy led to offers of prisoner exchange. In Korea and Vietnam, these offers were quite advantageous to the enemy in terms of numbers of POWs to be returned by each side. However, the enemy refused such exchanges, obviously

²⁷ Krone, “Politics and Prisoners of War,” 75.

²⁸ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 55.

concluding that holding US POWs was more advantageous than securing the return of large numbers of captured soldiers. The political leverage gained by holding US POWs was more important than any military advantage gained by a superior number of repatriated service members. The enemy was so deeply concerned with political warfare that even the traditional value of a POW, as a treasure of knowledge concerning current operations, intelligence and technical knowledge, was relegated to a secondary role in favor of political windfalls.

This is not to say that the POWs were not prodded to provide information concerning ongoing operations, intelligence data, and technical knowledge about US weapons systems. This type of information was valuable, but not as important as the political aspect of a captured American POW. According to The Vietnam Working Group of the U.S.-Russia Joint Commission on POW/MIA Affairs, “The North Vietnamese...considered the political, propaganda, and hostage value of the prisoners to far outweigh the benefits of exploitation of technical knowledge.”²⁹

As a further example, “the political benefits reaped by the Communists from the twenty-one American turncoats who refused repatriation in 1953 [after the Korean War] were of much greater significance to them than any intelligence data they might have gained.”³⁰ Although the political benefits of the turncoats weren’t realized until after the war, the Communists had to emphasize politics over the entire course of a POW’s

²⁹ The Vietnam Working Group, U.S.-Russia Joint Commission on POW/MIA Affairs, *The Role of Soviet Officials Vis-à-vis American Prisoners of War in Vietnam*, Draft Copy, 10 April 1996, 7.

³⁰ Krone, “Politics and Prisoners of War,” 80.

captivity in order to convince the serviceman to stay in North Korea or China. It must have been no small undertaking to convince 21 US servicemen that life under communism was better than returning to their homeland and seeing their families and friends again. This in itself underscores the high priority given to reaping political gain from POWs.

Another possible reason the enemy turned down the advantageous POW exchanges is that US enemies just did not care about their captured personnel or did not want to divert their efforts and attention from war goals to the POW issue. Either way, the end result for US POWs was manipulation. During the Vietnam War, it was said,

Since the North Vietnamese consider their own captured personnel as expendable and since they know we value highly the lives and welfare of our soldiers in captivity, they are using their control of our prisoners of war as a bargaining tool for propaganda and leverage for a settlement of the war favorable to them.³¹

US airmen held prisoner became bargaining chips, which the enemy sought to cash in for an advantageous peace settlement. The longer the US denied the enemy special treatment for the return of US POWs, the more airmen the US lost on the continuing air strikes. Thus, the US had maneuvered itself into a situation in which the stakes continued to grow.

US adversaries in the limited wars since World War II have more fully grasped the notion that prisoners can be utilized for political gain. “The fact that limited war is characterized by considerable restraint on military action while the realm of warfare is

³¹ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 60.

expanded into economic, social, and political arenas would hardly be challenged today.”³²

The problem is that the United States seems not to understand the significance of that expanded *realm of warfare* with respect to POWs. It is quite simple to understand the expansion of warfare into other areas if the level of military action is capped and restricted due to politics. Nations have stretched and will continue to stretch their efforts in limited wars to other areas such as politics. Limited war is played out on a global scale, politically. Other nations naturally search for ways to use POWs to extract greater benefits from the prisoners. US experiences in limited warfare have shown that the “overwhelming motivation for treatment of prisoners of war...is political.”³³

The political spectrum of limited war is extremely important in a number of areas. The United States’ credibility is at stake on the field of political warfare.

In the modern world, where instant communications cover the globe and world opinion and national domestic opinion seem to have as great an impact on the decision-making process as military capability, the influence flows should be understood. Ho Chi Minh and Kim Il Sung have used U.S. prisoners to try to establish the legitimacy of their positions and widen the credibility gap in the United States. As yet we have no consistent or effective response to these tactics.³⁴

America’s status as a superpower has been an undeniable fact since World War II. Superpower status has enabled the US to be part of global talks and decisions on every imaginable subject ranging from economics to human rights. In every limited war in

³² Krone, “Politics and Prisoners of War,” 81.

³³ Krone, “Politics and Prisoners of War,” 83.

³⁴ Krone, “Politics and Prisoners of War,” 84.

which the US engages, its credibility is tested. Should US resolve or capability be found lacking in a limited war situation, American power, status, and influence wanes with it.

Vietnam was a limited war in which US credibility was on the line. US Army Major H. R. McMaster in his book, *Dereliction of Duty*, explains the implications of the US losing in Vietnam: “The United States could lose its position in Asia and, as it suffered a blow to its prestige and credibility with other nations, the Communist movement would gain momentum worldwide.”³⁵ If US POWs are forced to make statements against government policy, US credibility is similarly affected. The US global image is degraded by such political actions of its enemies, especially when those actions include the coerced support of US POWs.

Another area of political importance is domestic public opinion. US policy makers such as the President and members of Congress are elected officials. They frequently make decisions based on the popular support they expect from the American public. When an enemy power restricts access to POWs, the American public and especially the family and friends of POWs, become gravely concerned and critical of US wartime policies. In Korea and Vietnam, America’s enemies used nearly identical methods on US POWs: “no access by the International Red Cross, extremely restricted mail privileges, no list of prisoners provided, controlled press interviews with prisoners who ‘are ready.’”³⁶ Those prisoners who were allowed to make statements made statements contrary to US policy, since their captors ensured that the POWs read the

³⁵ McMaster, *Dereliction of Duty*, 146.

³⁶ Krone, “Politics and Prisoners of War,” 83.

proper propaganda statement to the world. This propaganda influenced Americans of all types—the President, Congress, anti-war groups, POW families, the military, and the general public. “The concern here is with the type of treatment of prisoners which has a discernible feedback into the decision-making centers of the opposition and which is designed primarily to provoke a response in the political, rather than the military, sphere.”³⁷

POWs in this situation became a political issue which took American focus off what was important—the pursuit of the war aims for the accomplishment of which US forces had originally been committed. Political efforts were diverted from the prosecution of the war to deal with the issue of POWs, which was all the more important to the public when the enemy stated that the POWs would not be returned until the war was over. Public opinion, when sufficiently aroused, can compel the government to seek ways to end the war without achieving the original war goals. The US government never intended to turn its POWs into political pawns or bargaining chips during limited war, but the fact remains that we have been unable to prevent such developments.

A final political problem that has confronted the US in limited war is the fixation of the President and his administration on reelection. President Lyndon B. Johnson was known for making decisions on Vietnam solely based on the anticipated reaction of the public. His fixation on wooing the American electorate caused him to ignore the military necessities of the period, as articulated by the Joint Chiefs of Staff. Major McMaster chronicles President Johnson’s view that getting elected was the principal goal of his

³⁷ Krone, “Politics and Prisoners of War,” 75.

Vietnam policy, and that Johnson “was basing his Vietnam decisions on his campaign strategy rather than on military considerations and foreign policy concerns.”³⁸ The fact that Johnson’s decisions were driven by public opinion made DRV propaganda efforts even more effective, because the Johnson administration was very sensitive to any change in public opinion. In effect, the president’s over-sensitivity concerning public opinion gave DRV propaganda a direct impact upon the White House. When the DRV used US POWs for propaganda purposes, it was easily able to influence the political climate in America.

Consideration of how America can prevent the political exploitation of its POWs usually begins with the seemingly simplistic issue of how to regain POWs once they are taken captive. There are only three ways to repatriate POWs once taken: military victory, negotiated settlement, or POW rescue.³⁹ For the purposes of this study, military victory is when one side in the conflict brings such overpowering military force to bear that the other side recognizes it has no means to resist that military force.⁴⁰ A military victory

³⁸ McMaster, *Dereliction of Duty*, 87.

³⁹ The author understands that other situations may arise which do not seem to fit in these three methods. For instance, the US defeat in Vietnam does not seem to fit the category of military victory. After all, the DRV did not defeat the US militarily. The US defeat in Vietnam was a negotiated settlement brought about by the Paris peace talks. The negotiations not only specified the end of US military involvement, but also the exchange of POWs. Therefore, the Vietnam war fits squarely in the negotiated settlement category for POW exchange. Escape is not considered a method of POW repatriation because the circumstances of escape are not controlled by the government. Escape is a method which POWs may attempt, but can not be counted as a government method of repatriation.

⁴⁰ Recognition is the key to understanding the definition of military victory. During the Christmas bombing in December 1972, the US brought overwhelming

allows the victor to impose his will on the vanquished, including the establishment of the terms for POW release. An example of a military victory was the Allied victory over Germany in World War II. Germany was so thoroughly defeated militarily that Allied forces were in occupation of almost all of German territory, and the German armed forces recognized that they had no further means to resist. Allied POWs were liberated from German camps by victorious Allied troops as the Allied offensives swept through Germany. Rather than dealing with the enemy to work out a POW exchange, military victory allowed the US to simply liberate its POWs. Repatriation of POWs through a military victory is the most clear-cut of the three methods.

POWs can also be repatriated through a negotiated settlement. This can occur either during hostilities or after the belligerents agree to end a war. Since a negotiated settlement is, by definition, an agreement by both sides, this method can take any amount of time to accomplish. The Korean War cease-fire negotiations began on 10 July 1951 and a cease-fire was not put into effect until 27 July 1953.⁴¹ Over two years were needed just to reach an agreement on the cease-fire, which included provisions for prisoner exchange.

military power to bear on North Vietnam and forced that country to the point of no resistance. The reason the US failed to achieve military victory was because North Vietnam did not recognize that it had no means to resist. This was probably due to the fact that the DRV still had thousands of troops and the insurgency in South Vietnam to continue the war. The US perceived lack of North Vietnamese resistance did not mean that the North Vietnamese saw themselves without a means to resist.

⁴¹ Robert F. Futrell, *The United States Air Force in Korea, 1950-1953* (Washington, D.C.: Office of Air Force History, 1983), 373, 686.

Little did the US government know that in Vietnam it would take even longer in order to hammer out a peace accord. President Johnson sent a US diplomatic team to Paris in May 1968 to start peace negotiations.⁴² The US tried for years to reach a negotiated settlement to end the hostilities in Vietnam. Diplomatic solutions were sought even while US ground forces conducted operations in hope of a “military” victory.⁴³ President Richard M. Nixon even tried to conduct negotiations solely on the subject of POWs, but the North Vietnamese stalled or simply avoided the talks. The US, North Vietnam, and South Vietnam finally agreed to a cease-fire on 27 January 1973.⁴⁴ The negotiated settlement included a provision for the repatriation of POWs. Almost five years were necessary for the belligerents to reach an agreement to end the war. Those years were undoubtedly a very long stretch for the many US POWs, some of whom had been held in the DRV since 1964. Relying on a diplomatic solution can be a very time-consuming process. Both sides must agree to talk, agree on the subject of the talks, and reach a compromise solution somewhere between their opening proposals. While this is happening, usually the war drags on as in the case of Korea and Vietnam, during which

⁴² Schulzinger, *A Time for War*, 267.

⁴³ Such a “military” victory had as its aim the dual defeat of the insurgency in South Vietnam and the regular forces of the North Vietnamese army within South Vietnam. The goals of this “military” victory are not consistent with military victory as defined in this study. As defined above, this victory would have defeated the insurgency and only the North Vietnamese army units present in South Vietnam. North Vietnam would not have been militarily defeated as defined in this study because the rest of the North Vietnamese military would still exist to resist US actions and policy. The US would not have been in a position to repatriate its POWs even given the “military” victory sought by the US in the war.

⁴⁴ Schulzinger, *A Time for War*, 303.

time soldiers on both sides continue to fight; many more will die, and others will be captured.

In Korea, the talks stalled around the repatriation of POWs. The POW exchange was an issue because the United Nations Command (UNC) insisted on voluntary repatriation, where each POW could choose to stay with his detaining power or be returned to friendly forces.⁴⁵ The North Korean and Chinese position was that all POWs should be returned, regardless of their wishes. The first UNC chief negotiator was Vice Admiral C. Turner Joy of the US Navy. According to Army Colonel Walton K. Richardson, Admiral Joy “felt the voluntary repatriation issue cost our prisoners an extra year of captivity and cost the UNC an additional 50,000 casualties.”⁴⁶ Admiral Joy also contended that in the process, “the welfare of ex-enemy soldiers was placed above that of our own personnel in Communist prison camps and those still fighting in the battlefield.”⁴⁷ The US government had an obligation to secure the release of its captured military forces at the earliest time possible so long as its war aims were not compromised. This delay in negotiations failed to support US troops in a manner commensurate with the sacrifice which those troops made.⁴⁸

⁴⁵ Futrell, *The United States Air Force in Korea, 1950-1953*, 687.

⁴⁶ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 56.

⁴⁷ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 56.

⁴⁸ The matter of Korean War POW repatriation was complex. The United Nations Command feared the thousands of exchanged communist POWs would be executed upon their return to communist control. Some people may have seen that possibility as the sacrifice of basic American principles—individual liberty and freedom of choice. Such a move by the US could be interpreted as a betrayal of all the US servicemen who died in

The last method for POW repatriation is through a POW rescue by US military forces. This method would entail the deployment of specially trained military forces to a location that is known to house friendly POWs. Since this location would undoubtedly be behind enemy lines and be occupied by an enemy guard force, this method is the most risky of the three methods of repatriation. Military operations to release POWs must be based on firm intelligence. Only if a nation has excellent intelligence information, can this method even be contemplated. To conduct such an effort, the rescuing power must know where the enemy is keeping the prisoners; the location must be within striking range of friendly forces; and a suitably trained force must be available to quickly and effectively overwhelm the enemy guard force before the guards can put up an effective defense or exact retribution by killing the POWs. This method of POW repatriation first became a viable option during the Vietnam War when the Son Tay raid was conducted outside Hanoi by US forces. Due to the extreme risk of traversing enemy territory to rescue POWs, this option is usually the last resort. Should the raiding force be turned away with heavy casualties, the enemy would reap an immense propaganda benefit. The possibility exists that the raiding force would have members taken prisoner, thus adding more names to the rolls of friendly POWs and providing the enemy with more bargaining chips for the negotiated end of the conflict.

Korea. The author sees no such betrayal had history turned out that way. The delay in negotiations caused by the voluntary repatriation issue and the added deaths from another year of fighting were a disservice to American servicemen in captivity as well as those serving in US combat units. The US owed more consideration to its military forces than to the captured communist forces who took up arms against the US and its allies.

Putting the these three methods of POW repatriation in the context of limited warfare, certain conclusions are evident. First, since World War II, the US has fought only limited wars. No total wars such as the Second World War have occurred. In the context of limited war, the US has rarely been able to satisfy the prerequisite for military victory—bringing such overpowering military force to bear that the enemy recognizes it has no means to resist.⁴⁹ That method is much more probable in a total war scenario where friendly troops would occupy the enemy country. Therefore, the repatriation of POWs through military victory is not likely to occur.

Secondly, a negotiated settlement is always a possibility in a limited war. When one side decides that the expense incurred exceeds what it is reasonably expected to obtain by winning the conflict, a negotiated settlement is likely. However, as in the case of Korea, and later Vietnam, a stubborn and intransigent enemy may choose to accept the expense of the conflict, however great. In that case, a negotiated settlement may never occur, and any US POWs will remain under enemy control. In such a situation, the US may be compelled to accept a less than satisfactory settlement.

⁴⁹ The few cases since World War II in which military victory might be argued were Grenada, Panama, and the Persian Gulf War. In October 1983, US forces invaded the Caribbean island of Grenada to prevent it from becoming a new communist bastion after the overthrow of its democratic government. US forces overwhelmed all opposition and restored democracy to the island nation after achieving a military victory over token resistance. The December 1989 US invasion of Panama was designed to capture the corrupt leader of the Panamanian National Defense Forces, General Manuel Antonio Noriega. US forces overpowered all enemy forces they encountered, but failed to capture Noriega, who sought asylum at the Vatican embassy after only four days. This was not so much a case of the Panamanians recognizing their inability to resist as it was a recognition that US forces had invaded to remove Noriega from power, who was unpopular with the people. The 1991 Persian Gulf War was perhaps the best example of

When faced with an intransigent enemy in a limited war, the repatriation of POWs may well be left to the final method—the mounting of POW rescue raids. Although a POW raid is risky, US technology and military training may balance the risks. At least the US has this option for repatriation if the nation finds itself in a protracted limited war situation with an intransigent enemy unwilling to negotiate POW release.

Since World War II, the US has taken part only in conflicts whose scope was militarily limited. Limited warfare was a new type of conflict and required belligerents to fight in a different fashion. The belligerents exploited more of the political aspects of warfare, which in turn led to the use of POWs for political gain. The enemy exploited US POWs because of the vulnerability of the American public to the enemy's propaganda efforts. Once enemy propaganda influenced US public opinion, the US government acted on the public's view, completing the cycle of influence from the enemy to US policy. To disrupt this cycle of influence, three methods of POW repatriation were available. Military victory was not applicable in most limited war scenarios, and negotiated settlements proved to be long, drawn-out affairs in which the enemy used US POWs as bargaining chips for favorable solutions. Only the third option, POW rescue, offered the simultaneous advantage of repatriating America's captured servicemen and reducing the enemy's leverage in peace negotiations.

military victory since World War II. The details of the Persian Gulf War are discussed in Chapter V.

CHAPTER III

HISTORY OF POWS AND THE DEVELOPMENT OF INTERNATIONAL LAW

The status of prisoners of war has undergone many changes throughout history. POW status is currently defined by the Geneva Conventions of 1949 and two Additional Protocols of 1977.¹ It was commonly thought that these international agreements would have safeguarded any POWs captured during the limited wars conducted since the close of World War II. However, the increasing maltreatment of POWs since that war and the simultaneous increase in the number of cases in which prisoners were used for political purposes are a paradox. While the Geneva Conventions of 1949 were meant to extend greater protection to POWs, the treatment of prisoners has actually reached even lower levels than before the Conventions were signed. The extent of international agreements and international law are important to understanding POW treatment. These international measures are also critical to understanding why nations have flaunted their disdain of the rights and protection of prisoners of war.

The history of POWs is as old as the history of warfare. Ever since the dawn of humanity, armed conflict has been a common, recurring historical event. Throughout history, conquering armies have had to decide what to do with enemy soldiers captured in battle. The easiest way to comprehend the periodic changes in prisoner treatment and

¹ Geoffrey Best, *Humanity in Warfare* (New York: Columbia University Press, 1980), 320.

status is by examining the model proposed by Colonel Walton K. Richardson, who divides the history of POW treatment into four stages.² The first stage was typified by the death of all prisoners taken in battle. This treatment was almost universal during the first recorded armed conflicts. An enemy soldier captured in battle was “either slaughtered on the battlefield, tortured and put to death after the battle, or used as a sacrificial offering.”³ Even the philosophers of the day agreed with this brutal practice. Plato wrote that, “he who allows himself to be taken prisoner may as well be made a present to his enemies; he is their lawful prey, and let them do what they like with him.”⁴ In this first stage, prisoners had no rights at all and were treated to death, often not a quick and painless one.

The killing of POWs eventually gave way to the second stage, which was slavery. This transition also took place in ancient times and was chiefly “motivated by economic considerations.”⁵ Conquerors of the period decided not to waste the labor potential of the prisoners. The victorious army took any captured enemy soldiers and used them as slaves to increase the work output of the conquering state. This idea evolved into the standard custom of armies. “In fact, captivity resulting from battle was the origin of the practice of slavery.”⁶ There were exceptions to such treatment, but generally the conquering nation

² Walton K. Richardson, Col., USA, “Prisoners of War as Instruments of Foreign Policy,” *Naval War College Review* 23, No. 1 (1970): 47.

³ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 47.

⁴ Robert M. Krone, Col., USAF, “Politics and Prisoners of War,” *Air University Review* 21, No. 3 (1970): 75.

⁵ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 48.

⁶ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 48.

appreciated the economic value of POW exploitation and thus slavery became the accepted rule for POWs.

Economic exploitation of POWs led to yet another custom in the treatment of POWs: ransoming. This third stage was only slightly more humane than the previous stages. Ransoming at least provided POWs with the opportunity for freedom and the chance to return home. “Prisoners not held in slavery were returned to their homes after payment of ransom.”⁷ Victorious states held enemy soldiers captive until the enemy state paid large sums of money to liberate its men from enemy prisons. In essence, ransoming was a legitimized form of government blackmail. Ransom had on occasion been used during ancient times, “however, during [those] times the practice was more an isolated act of mercy rather than the prevailing custom. It was not until the Middle Ages that ransom supplanted slavery as the normal practice.”⁸ The Lateran Council of 1179 attempted to end the custom of slavery for POWs.⁹ The Lateran Council was also important because it represented a primitive attempt to codify international rules for the general treatment of prisoners. Such a goal was indeed lofty, for only 80 years before, when the crusading armies of Christian Europe captured Jerusalem, they slaughtered the people captured there. “The men of the West literally waded in gore, their march to the Church of the

⁷ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 48.

⁸ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 48.

⁹ Krone, “Politics and Prisoners of War,” 76.

Holy Sepulchre being gruesomely likened to ‘treading out the wine-press.’”¹⁰ The Lateran Council’s attempt at codification at least demonstrated that humanity was beginning to feel some degree of concern for the general welfare of POWs.

The final stage was stimulated by the increased influence of humanitarian concerns and is generally agreed to have begun with the Treaty of Westphalia in 1648.¹¹ This treaty, which ended the Thirty Years War, “was the first international instrument to establish modern rules for the treatment of prisoners of war.”¹² It called for the prisoners held by the opposing sides to be freed without conditions. No slaves were to be kept and no ransoms were to be paid. This last stage has since been characterized “by bilateral treaties and unilateral declarations. Between 1581 and 1864 there were at least 291 international documents dealing with the treatment of the sick, wounded, and captured.”¹³

Unilateral and bilateral declarations, however, were only an impressive start towards broader international agreements. Switzerland hosted a diplomatic conference of 12 nations in 1864 which resulted in the 1864 Geneva Convention for the Amelioration of the Condition of the Wounded in Time of War.¹⁴ This was the first of all Geneva

¹⁰ Lynn Montross, *War Through the Ages*, Rev. 3rd ed. (New York: Harper & Row, Publishers, 1960), 138.

¹¹ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 48.

¹² Richardson, “Prisoners of War as Instruments of Foreign Policy,” 48.

¹³ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 48.

¹⁴ William M. Malloy, comp., *Treaties, Conventions, International Acts, Protocols and Agreements Between the United States of America and Other Powers, 1776-1909*, Vol. 2 (Washington D.C.: Government Printing Office, 1910), 1903.

Conventions, and had 10 articles that “were the first attempt to create international law by virtue of the ratification or accession of all the great powers.”¹⁵ All the powers invited to the convention had by 1867 bound themselves to the Convention, and a total of 54 nations, including the United States, ultimately ratified the Convention.

The next attempt to further codify international laws for war was the First Hague Conference in 1899. This conference agreed to three new conventions of which Convention II contained 17 articles having to do with prisoners of war.¹⁶ A total of 24 nations, including the US, ratified Convention II. Following closely on the heels of the First Hague Conference was the 1906 Geneva Convention for the Amelioration of the Condition of the Sick and Wounded in Armies in the Field. This Convention contained 33 articles formulated by 35 nations “which were more comprehensive and explicit than those of the First (1864) Geneva Convention.”¹⁷ The last of the great multinational efforts at this time was the Second Hague Conference in 1907 which “included an updating and improving of the articles pertaining to prisoners of war contained in the [First] Hague Convention No. II of 1899.”¹⁸

Although it may seem that two essentially duplicate sets of international agreements were at work at this time, this was not the case:

¹⁵ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 48.

¹⁶ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 49.

¹⁷ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 49.

¹⁸ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 49.

Both conventions are based on, and motivated by, humanitarian considerations. There is some redundancy between the two, particularly with regard to prisoners of war. Basically, the Hague Conventions codify the rules of war and attempt to restrict the use of weapons and the application of force in war. The Geneva Conventions, on the other hand, are specifically concerned with the protection of the individual against the abuse of force in wartime.¹⁹

Since this study is mostly concerned with the rules governing treatment of POWs, the Geneva Conventions encompass the more important aspect of the international agreements.

In the aftermath of World War I, nations of the world saw a need to improve upon both the Hague and Geneva Conventions. International organizations, including the International Red Cross (IRC), helped bring world attention to the improvement of the laws of war. The Swiss government extended invitations to 47 nations to attend a new conference in Geneva. In July 1929, the conference delegates ratified two conventions.²⁰ The first was the Geneva Convention of 1929 for the Amelioration of the Condition of the Wounded and the Sick of Armies in the Field. The second was the Geneva Convention of 1929 Relative to the Treatment of Prisoners of War. For the first time in history, nations were “attempting to create international law directed toward the humanitarian treatment of prisoners of war rather than merely recording existing practices as had been done at the two Hague Conferences (1899 and 1907).”²¹ By the time America entered World War II, 35 nations had ratified the latest Geneva Conventions and six more did so during the war.

¹⁹ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 49.

²⁰ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 49.

²¹ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 49.

Japan never adhered to the 1929 Geneva Conventions. The Soviet Union ratified only the Convention concerning the sick and wounded, while refusing to abide by the Convention concerning the treatment of POWs.²²

In World War II, the Japanese were responsible for terrible atrocities committed against US POWs, most notably their treatment of the thousands of troops captured on the Bataan Peninsula in 1942. “Some 78,000 [POWs] were herded out of the [Bataan] peninsula in what became known as the Bataan Death March on which, beaten, clubbed, and bayoneted, they were forced to walk the 105 km. (65mi.) from Mariveles to San Fernando. Many died before they got there.”²³ Thousands of captured Americans and Filipinos died or were slaughtered on the march. For those who survived, years of captivity lay ahead of them in some of the most wretched POW compounds ever.²⁴ The Japanese not only brutalized POWs, but also the civilian population in their occupied territories. In the words of historian Gerhard Weinberg, “The use of military and civilian prisoners for bayonet practice and assorted other cruelties provided the people of Southeast Asia with a dramatic lesson on the new meaning of Bushido, the code of the Japanese warrior.”²⁵ Toward the end of the war, Japanese commanders announced to the

²² Richardson, “Prisoners of War as Instruments of Foreign Policy,” 49.

²³ “Bataan Peninsula, Siege of,” *The Oxford Companion to World War II*, ed. I. C. B. Dear, (Oxford: Oxford University Press, 1995), 115.

²⁴ Gerhard L. Weinberg, *A World at Arms: A Global History of World War II* (Cambridge: Cambridge University Press, 1994), 315.

²⁵ Weinberg, *A World at Arms*, 322.

public their intent to kill any captured aircrew members that bailed out over Japanese territories or Japanese waters.

The Japanese were not alone during the second world war in the maltreatment of POWs. While the German treatment of American and British POWs at least reflected a realistic attempt to adhere to the Geneva Convention of 1929, Germany's treatment of Soviet POWs was much worse. The Germans killed large numbers of Soviet prisoners, especially "Communist party officials as well as political officers among the prisoners of war."²⁶ Even the civilian population in German occupied Eastern Europe was often imprisoned and brutalized. The most common occurrence in these areas was "a decimated and steadily shrinking indigenous population [that] would be toiling for the new masters until their remnants were either expelled or exterminated."²⁷

The USSR, however, built its own reputation for the ruthless handling of POWs. In 1943, German troops uncovered the mass graves of some 8,000 Polish officers in the Katyn forest where the Soviets had murdered them in 1940.²⁸ The USSR was equally harsh on German and Japanese prisoners. "As of March 1950, some 923,000 German prisoners of war, verified in the hands of the U.S.S.R., were still missing. Japan listed at least 376, 939 prisoners of war unaccounted for at the end of 1949."²⁹

²⁶ Weinberg, *A World at Arms*, 530.

²⁷ Weinberg, *A World at Arms*, 530.

²⁸ Richardson, "Prisoners of War as Instruments of Foreign Policy," 50.

²⁹ Richardson, "Prisoners of War as Instruments of Foreign Policy," 50.

The frequent accounts of atrocities during World War II led the International Committee of the Red Cross (ICRC) to draft four new conventions in 1946. After a few years of discussion and debate, the conventions were submitted to a diplomatic conference of 59 nations at Geneva in 1949.³⁰ The third of the four conventions was the Geneva Convention Relative to the Treatment of Prisoners of War of August 12, 1949.³¹ This international agreement strengthened international law concerning the humanitarian treatment of POWs and was ratified by 117 nations by 1968.³² This is the convention that remains in force today.

The new Geneva Conventions came not a moment too soon as the Korean War broke out in June 1950. All parties to the war announced their adherence to the 1949 Geneva Conventions before the end of July 1950, except China, which belatedly announced its adherence in July 1952.³³ However, the hope that the conventions would further the humanitarian cause of POWs proved unfounded.

Even after presentation of lists of 5,230 North Korean soldiers held captive by the UNC [United Nations Command] in mid-September 1950, the ICRC could not elicit any communication or reaction from Pyongyang. The North Koreans did not attempt to provide packages for these captives nor did they try to get mail to or from them. The message was as clear as it had been from the Russians of World War II. The Communists, whose governments are founded on concern for the workers and peasants, were

³⁰ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 52.

³¹ Jean de Preux, *Geneva Convention Relative to the Treatment of Prisoners of War* (Geneva: International Committee of the Red Cross, 1960), 11.

³² Richardson, “Prisoners of War as Instruments of Foreign Policy,” 60.

³³ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 52.

not concerned with the welfare of their prisoners of war while they were in the hands of the UNC.³⁴

It was apparent that the treatment of POWs was not improved by the 1949 Geneva Conventions. Although Communist POWs held by the UNC enjoyed their rights under Geneva Convention provisions, UNC POWs held by North Korea and China were mistreated.

The Korean War set a new and, unfortunately for POWs, an inhumane standard of treatment for prisoners. UNC prisoners were subjected to “brainwashing” and forced indoctrination of Communist ideals. They were compelled to make politically damaging statements and to inform on their fellow prisoners. “Regardless of the specific reason, the fundamental motivation [was] for political, not military, gain.”³⁵ The Communists violated many articles of the 1949 Geneva Convention. Among those violated, was the most basic article, Article 13, which states, “prisoners of war must at all times be humanely treated.”³⁶ UNC prisoners were so badly treated by the North Koreans and Chinese that out of a total of 7,190 known US prisoners, 2,730 US prisoners died in captivity. This was a higher percentage of US captivity deaths than during the American Civil War or of the US POWs

³⁴ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 53.

³⁵ Krone, “Politics and Prisoners of War,” 80.

³⁶ Howard S. Levie, *Prisoners of War in International Armed Conflict*, Vol. 59 of *Naval War College International Law Studies* (Newport, Rhode Island: Naval War College Press, n.d.), 437.

held by Japan in World War II. An additional 1,036 US deaths were attributed to battlefield atrocities.³⁷

The North Koreans and Chinese used UNC prisoners for political gain, seeking to expand the arena of combat to the political sphere. The Korean War was a limited war and both sides had expanded their military efforts as far as possible without possible risk of nuclear war. By forcing US POWs to make statements against the war, the enemy was attempting to influence world opinion on their behalf. To force UNC prisoners to make such damaging statements, the Communists applied various measures of physical and mental torture. According to historian Lynn Montross:

There were also hundreds of prisoners who died or suffered in health as a consequence of Communist mistreatment. The gaunt and debilitated survivors had been the victims of malnutrition, abuse and exposure to cold in efforts to make them confess to germ warfare and other 'atrocities' which had no foundation in fact.³⁸

In the name of political warfare, the Communists made a conscious decision not to honor the Geneva Conventions by which they were bound.

The UN Command responded with political warfare of its own. When the peace talks got around to the discussion of POW repatriation, the UNC insisted upon voluntary repatriation of all POWs.³⁹ In other words, only those prisoners wishing to return to their homelands would be returned. The choice was left to the individual POW. In fairness to the Communists, the principle of voluntary repatriation violated, at the least, Article 7 of

³⁷ Richardson, "Prisoners of War as Instruments of Foreign Policy," 53.

³⁸ Montross, *War Through the Ages*, 994.

³⁹ Richardson, "Prisoners of War as Instruments of Foreign Policy," 55.

the 1949 Geneva Conventions, which states, “Prisoners of war may in no circumstances renounce in part or in entirety the rights secured them by the present Convention.” And Article 118 states, “prisoners of war shall be released and repatriated without delay after the cessation of active hostilities.”⁴⁰

After lengthy and time-consuming talks on this subject, the peace delegations of both sides agreed to voluntary repatriations. The results of this agreement allowed both sides to claim a great political victory. Despite the tremendous propaganda effort directed against UNC POWs, only 229 UNC prisoners, mostly Koreans, chose to remain in Communist control, “while some 22,000 Chinese Reds cast their lots with Nationalist China on Formosa [Taiwan]. An equal number of Red Koreans voted to begin life anew in the Republic of Korea.”⁴¹

Of the 229 UNC POWs that chose to remain in Communist control, 21 were Americans.⁴² The US public was stunned that Americans would choose to stay behind with the enemy. Even though the number of US turncoats choosing to stay in Communist control was very small when compared to the 22,000 Chinese that defected to Taiwan, the impact on the American public was far out of proportion to their small number. The psychological shock produced by US turncoats was a victory for the North Koreans. Perhaps their defection is the best testament of all to the Communists’ intense program of “brainwashing” and forced indoctrination. In any case, the number of UNC turncoats was

⁴⁰ Levie, *Prisoners of War in International Armed Conflict*, 435.

⁴¹ Montross, *War Through the Ages*, 994.

⁴² Krone, “Politics and Prisoners of War,” 80.

an incredibly low figure when compared to the tens of thousands of Communist turncoats. Freedom from communism was the clear choice of a vast majority of POWs, but the fact remained that US POWs could be induced to stay in Communist control. The political aspects of warfare had started to appear.

The Korean War cast serious doubt upon the ability of the Geneva Conventions to protect soldiers captured in war. If warfare was waged across the entire political spectrum to compensate for the limited military effort, there was a high probability that POWs would receive similar treatment in future wars. However, no change was made to the Geneva Conventions to account for such treatment.

Major conflicts have given impetus to changes in international laws which have been increasingly concerned with the humanitarian treatment of prisoners and other victims of war. The Geneva Conventions of 1929 and 1949, following World Wars I and II, respectively, illustrate this. No change occurred following the Korean war.⁴³

Not even the issue of voluntary repatriation sparked the international community's interest in revising or adding articles to the Conventions.

This failure to revise the Geneva Conventions was puzzling. Perhaps the Cold War polarization of the international environment was the reason. At the end of the Korean War in 1953, the world was divided between the competing Western nations and the Communist Bloc, while a significant number of nations, principally African and Asian, remained unaligned with either the West or the Communists. A change in the Geneva Conventions would have required, at the very least, the agreement of the Western and Communist Bloc nations. In the midst of the Cold War, these two powerful blocs were

⁴³ Richardson, "Prisoners of War as Instruments of Foreign Policy," 56.

unlikely to agree on any changes. As the leader of the Communist nations, the Soviet Union espoused global support for insurgency movements. In any revision of the Geneva Conventions it is likely the USSR would have urged increased protection for irregular guerrilla forces. The US, as leader of the Western World, would have taken the opposite view. America would have sought more protection for regular military forces to support not only its own deployed military units, but also the regular military units of pro-Western nations fighting Communist insurgencies. Such a dichotomy of views probably scuttled any thought of revising the Geneva Conventions.

This lack of attention would be detrimental to American POWs in the coming war in Vietnam. After the deployment of US combat forces to Vietnam in 1965, the ICRC contacted North Vietnam, South Vietnam, and the US, reminding them of their responsibilities under the 1949 Geneva Conventions. Both the US and South Vietnam gave their assurance of total compliance. North Vietnam's reply to the ICRC left their position rather unclear, which was most likely their intent. The North Vietnamese stated that US pilots would be categorized as "major criminals" and subjected to North Vietnamese law.⁴⁴ This left the US wondering what the North Vietnamese standard was for POWs. If there really was anything codified about POWs in North Vietnamese law, the US did not know it. Given the DRV's relatively short span of existence, any laws at all were certain to be ambiguous and ill-defined. The ICRC also informed the NLF of its

⁴⁴ Richardson, "Prisoners of War as Instruments of Foreign Policy," 56.

responsibility to adhere to the Conventions, but “the NLF flatly refused to be bound by the Geneva Conventions.”⁴⁵

That the North Vietnamese used the term “major criminals” in their response to the ICRC most likely reflected the fact that they, along with other Communist states (led by the USSR), had notified the ICRC of their reservations with respect to Article 85 of the 1949 Geneva Conventions.⁴⁶ In other words, North Vietnam had ratified the Conventions, but not Article 85. This article reads, “Prisoners of war prosecuted under the laws of the Detaining Power for acts committed prior to capture shall retain, even if convicted, the benefits of the present Convention.”⁴⁷ The concern of the Communist nations was that prisoners of war who committed “war crimes” and “crimes against humanity” would enjoy the protection of the Conventions. These nations wanted the ability to prosecute POWs within their own legal system and have them serve their sentences, if convicted, in accordance with host nation laws and without the protection of the Geneva Conventions.⁴⁸ With the USSR setting the example, many Communist nations, including North Vietnam, submitted their reservations to Article 85.⁴⁹

The North Vietnamese clung to their beliefs that US airmen shot down during the war were “war criminals” and deserved none of the rights detailed in the Geneva

⁴⁵ Richardson, “Prisoners of War as Instruments of Foreign Policy,” 56.

⁴⁶ de Preux, *Geneva Convention*, 423.

⁴⁷ Levie, *Prisoners of War in International Armed Conflict*, 465.

⁴⁸ de Preux, *Geneva Convention*, 425.

⁴⁹ Levie, *Prisoners of War in International Armed Conflict*, 510.

Conventions. According to one retired US Army officer in 1972, “Since the beginning of the hostilities, North Vietnam has continually refused to apply the 1949 convention to US prisoners of war on the basis that it considered these prisoners ‘war criminals’.”⁵⁰ It was thought that perhaps the DRV attitude toward US POWs was because the US had never declared war. Indeed, this was a thought that undoubtedly worried US POWs in Vietnam. In 1964, the first US airman shot down over Vietnam, Navy Lieutenant (junior grade) Everett Alvarez, Jr., was worried when his captors told him he was not entitled to the protection of the Geneva Conventions because the US involvement was not a declared war.⁵¹ This argument, however, did not hold up to Article 2 of the 1949 Geneva Convention, which states, “In addition to the provisions which shall be implemented in peace time, the present Convention shall apply to all cases of declared war or any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them.”⁵²

US POWs were subjected to incredibly inhumane treatment in Vietnam. The prisoners were paraded through the streets of North Vietnam, forced to make statements against the war, and tortured. The POWs were not fed sufficient food to sustain themselves, and what little food they received was not of decent nutritional quality. US POWs received only enough medical care to keep them alive. They were not allowed

⁵⁰ Joseph B. Kelly, Lt. Col., USA, Retired, “PW’s as War Criminals,” *Military Review* 52, No. 1 (1972): 91.

⁵¹ Everett Alvarez, Jr. and Anthony S. Pitch, *Chained Eagle* (New York: Donald I. Fine, Inc., 1989), 34.

⁵² Levie, *Prisoners of War in International Armed Conflict*, 432.

regular religious services, and rarely were allowed to write home or receive mail from home. The sick and wounded were not released to US authorities and details of those who died were not furnished to their families. The DRV never provided official lists of those Americans who were prisoners, and no third party, such as the ICRC, was ever allowed to inspect the POW camps. This terribly poor record of POW treatment violated Articles 13, 23, 26, 30, 34, 70, 71, 72, 109, 120, 122, and 126 of the 1949 Geneva Conventions.⁵³

North Vietnamese treatment of US POWs, like the North Koreans and Chinese treatment of US POWs during the Korean War, was designed to expand the war into the political sphere. The DRV tactic regarding US prisoners was to influence the world with coerced POW propaganda statements. These statements had direct influence on three specific areas. Within Vietnam, the DRV-released POW statements directly impacted the Saigon government, US forces in Vietnam, and the Vietnamese public.⁵⁴ All these groups felt political pressure from the DRV's propaganda effort. This pressure, as one might expect from statements released by the DRV, was to end the war in such a manner that the North Vietnamese would be in a position of power over the South Vietnamese.

DRV POW propaganda also influenced the international environment.⁵⁵ This included US allies, neutral nations, the United Nations, Communist allies, and international

⁵³ All paragraph details from US Senate Hearings, Committee on Foreign Relations, *Bombing Operations and the Prisoner-of-War Rescue Mission in North Vietnam* (Washington D.C.: U.S. Government Printing Office, 1971), 29.

⁵⁴ Krone, "Politics and Prisoners of War," 83, illustration.

⁵⁵ Krone, "Politics and Prisoners of War," 83, illustration.

antiwar organizations. All these groups had to decide whether to support or criticize US actions while receiving constant DRV propaganda. Since the North Vietnamese political propaganda projected negative images of the war to the US and our allies, the US image was damaged. The international community was forced to assess the evidence of US POWs as war criminals and an America portrayed as an aggressive, imperialist power.

The final area impacted by enemy POW propaganda was the American home front.⁵⁶ Enemy political pressure was applied to the President, Congress, antiwar groups, POW families, the military, students, and the general public. Each of these groups had unique goals for the war which led to their support for different means of prosecuting the war. Not only were the United States groups subjected to DRV propaganda, but they were also subjected to the influence of the international community. Feedback from allies, enemies, and foreign organizations took the form of quiet support to blatant opposition to the US role in Vietnam. This feedback, in turn, provided support for the varying points of view in the US.

The North Vietnamese maltreatment of US POWs and the resulting political benefits for the DRV casts serious doubt on the ability of the Geneva Conventions to protect prisoners in modern war from enemy abuse. Unfortunately, “what nations actually do [in war]...bears little resemblance to what they are permitted to do by the international law of war.”⁵⁷ Obviously, there was little regard on the part of the North Vietnamese for

⁵⁶ Krone, “Politics and Prisoners of War,” 83, illustration.

⁵⁷ Carl M. Guelzo, Lt. Col., USA, Retired, “International Law of War,” *Military Review* 50, No. 10 (1970): 50.

the intent of the Geneva Conventions. This is a notion that bothers many individuals, who feel that the international law of war is simply a peace time fantasy. According to Lieutenant Colonel Carl M. Guelzo, a retired US Army officer, “The international law of war is so blurred and so contradictory that legal interpretations can be made to support almost any act of aggression.”⁵⁸ There have been too many instances, Colonel Guelzo suggests, where ambiguities in the laws of war have allowed aggressors to continue in their courses unchecked by the principles laid down in international agreements:

Circumstances abound in which legal technicalities have encouraged continuation of an aggressive course while lawyers and philosophers debate. Small wonder, then, that the treaties and international agreements by which the law of war is codified are held in low esteem.⁵⁹

Warfare is a serious situation; the stakes are high. If the punishment for betrayal of international agreements is lower than the stakes in warfare, it would seem that the risk of noncompliance is an acceptable one.

The increasing occurrences of POW exploitation for political purposes and the concomitant flaunting of international law since World War II suggest a need for change. According to Lieutenant Colonel Guelzo, “If a law of war is desirable—and few will doubt the utility of an enforceable code of international ethics—then the means of compelling observance are a necessary ingredient.”⁶⁰ This is the most compelling reason why the Geneva Conventions were not adhered to in Korea and Vietnam. If the detaining

⁵⁸ Guelzo, “International Law of War,” 53.

⁵⁹ Guelzo, “International Law of War,” 53.

⁶⁰ Guelzo, “International Law of War,” 54.

power fears no retribution or punishment, nothing will prevent it from abusing the human rights of prisoners in order to further their war effort. “Even with superior land, sea, and air forces, a nation cannot force [those] observances of the law of war if the enemy has convinced himself that he can, at least for the moment, escape the consequences of violations.”⁶¹

The US experience in Korea and Vietnam was not what was expected. The nation, and probably the world, had expected that the 1949 Geneva Conventions would secure the safety of captured military members. Instead, the exact opposite occurred. US POWs were not simply soldiers sitting out a war and awaiting repatriation, but rather instruments of political manipulation. Limited warfare restricted the military actions of belligerents and caused the expansion of warfare into political areas where the POW suddenly could be made to play a new role legitimizing the propaganda claims of the enemy, no matter what they might be. This new role made POWs useful to the enemy—so useful that the Geneva Conventions were disregarded in order to break the resistance and will of the prisoners so they could be molded into spokespersons of enemy propaganda.

The US was left with some very difficult questions in the wake of its limited war experience. “What do you do when brave men are held indefinitely and cruelly mistreated; when their families are made to suffer; when the men and their families are used as political pawns by a nation which does not respect the international agreements to which it

⁶¹ Guelzo, “International Law of War,” 55.

is a party?"⁶² Limited warfare made military victory almost impossible as a method of repatriating POWs, especially when the enemy is intractable and unwilling to yield. Negotiated settlements did not offer a better option, since the same enemy probably would not give up until it achieved its war goals. This would result in further losses of American lives as the war continued for the United States, as well as, ultimately, the failure of American war aims. If such an enemy did negotiate a settlement, there is no guarantee that he would hold the settlement in much regard since earlier international agreements like the Geneva Conventions had been disregarded. The only remaining option for repatriation of POWs is the mounting of a rescue by friendly forces. In Vietnam, this was precisely what happened. According to former Secretary of the Navy John H. Chafee in July 1971,

You search the entire spectrum of possible actions you can take; you try any and all that promise any chance of success; and you eventually come up with a rescue attempt like that of 20 November 1970. And, hopefully, you keep the enemy worrying night and day about the same thing happening again.⁶³

⁶² John H. Chafee, "P.O.W. Treatment: Principles Versus Propaganda," *U.S. Naval Institute Proceedings* 97, No. 7 (1971): 17.

⁶³ Chafee, "P.O.W. Treatment: Principles Versus Propaganda," 17.

CHAPTER IV

SON TAY POW RAID AND THE IMPORTANCE OF POLITICS IN LIMITED WAR

The Son Tay raid in November 1970 illustrates the choice of a POW rescue for prisoner repatriation as opposed to military victory or a negotiated settlement. As such, it provides an excellent case study of the issue of POWs in an air war. However, before discussion of the Son Tay raid, it is important to understand the background of the Vietnam War. By 1970, the Vietnam War had given rise to the special circumstances that helped create a need for the raid. The raid, like any military operation of its kind, was a product of political and military strategy. Political and military leaders alike had their agendas and reasons for conducting the Son Tay raid.

The first driving force was political necessity. Americans elected President Richard M. Nixon on his promise to bring an end to the Vietnam War. More than just ending the war, Nixon promised to get America out of Vietnam honorably. The Nixon administration was under tremendous pressure to follow through with these public promises.

Military concerns were the second reason for the Son Tay operation. The Vietnam War was a limited war and US armed forces had already tried every military option to win—within the political constraints imposed by the National Command Authority. It seemed that victory would best be pursued through political channels. However, the Democratic Republic of Vietnam (DRV) was not seriously negotiating in

Paris because it knew the US could not obtain a military victory. The military stalemate essentially gave the military advantage to the DRV. Even when the US conducted bombing raids to coerce the DRV to the peace table, the North Vietnamese did not budge. The US needed a way to get North Vietnam seriously interested in a negotiated settlement.

“Vietnamization” was the Nixon administration’s plan to make the DRV move toward negotiations. President Nixon said, “Vietnamization is not a substitute for negotiations, but a spur to negotiations.”¹ Vietnamization required the provision of large amounts of aid and training to the ARVN. The aim was to build up “the South Vietnamese to strengthen their ability to defend themselves.”² As the ARVN grew stronger, the US hoped the DRV would realize that pursuing peace negotiations was in their best interests. The Nixon administration’s Vietnamization plan called for reduced levels of US troops in the RVN as the South Vietnamese military forces grew to take on the bulk of the fighting. For the US, this plan had an additional and obvious goal of reducing American casualties by disengaging and withdrawing American troops from Vietnam as newly trained ARVN forces relieved them in combat. This made Vietnamization very appealing to the home front in the US. The American public was so weary of US casualties that Henry Kissinger said, “our people would not sustain the

¹ Richard Nixon, *Public Papers of the Presidents of the United States* (Washington, D.C.: U.S. Government Printing Office, 1971), 45.

² Nixon, *Public Papers of the Presidents of the United States*, 119.

prolongation of the war for a period of time that would make a military difference.”³ This statement dramatizes the fact that the DRV had successfully expanded the war into the political sphere. When the American people stop sustaining a war effort, the politicians in the government must follow suit or risk being voted out of office.

It is difficult to believe that Vietnamization alone would bring the DRV to serious negotiations. If over half a million US combat troops could not decide the war in favor of South Vietnam, surely the withdrawal of US troops would not achieve that aim either.

According to a December 1970 *New York Times* article,

The Administration’s principal dilemma is that this policy of Vietnamization does not deal with the fate of American prisoners held by Hanoi—373 by American count, 339 according to Hanoi. If the United States simply withdraws and leaves the North Vietnamese and the Vietcong confronted by Saigon alone, Washington is ill-equipped to bargain for these prisoners.⁴

Thus, President Nixon found himself in a cruel dilemma as he withdrew US troops. The DRV military position improved without negotiations as the US withdrew troops from Vietnam. Indeed, the success of the Vietnamization program and the concomitant reduction of US military strength in Vietnam probably strengthened North Vietnamese resolve.

There is no evidence that Vietnamization caused the DRV to think that peace negotiations were their only choice. It seems equally likely that the withdrawal of US

³ Henry Kissinger, *Years of Upheaval* (Boston: Little, Brown and Company, 1982), 11.

⁴ “U.S. Now Stressing Pessimistic Outlook,” *New York Times*, 6 December 1970, Pike Collection, Unit I, Box 18, File 10, Vietnam Archive, Texas Tech University.

forces weakened US leverage in the pursuit of peace negotiations. This loss of leverage may in itself have necessitated additional actions regarding POWs, such as the Son Tay raid.

In order to honor his commitments to the American people, President Nixon had to end the war. “Our goal, of course, is to end the war in Vietnam, preferably by negotiation, as quickly as possible,” the President said. “If not by negotiation, through Vietnamization, in which the South Vietnamese will assume the primary responsibility for their defense.”⁵ If the US could not end the war through negotiation, then withdrawal, under the guise of “Vietnamization” would occur. To end American involvement, the President needed to remove US troops from the fighting. No longer was a stable and independent South Vietnamese government the ultimate goal, but rather a cessation of US involvement. Thus the DRV was intentionally stalling the talks. Time was on their side; the longer they stalled, the stronger their position became.

That the DRV was not serious about talking in Paris was nothing new. The negotiations were consistently slow and unproductive. The North Vietnamese negotiator, Le Duc Tho, “was treating Henry Kissinger to a brilliant display of ‘talking and fighting,’ using the negotiations to cover as long as possible the next real move in the war.”⁶ The DRV used the talks to frustrate the US government and to divert attention from other planned PAVN operations. At the same time, the Paris negotiations offered the DRV an

⁵ Nixon, *Public Papers of the Presidents of the United States*, 37-38.

⁶ Truong Nhu Tang, *A Vietcong Memoir* (San Diego: Harcourt Brace Jovanovich, Publishers, 1985), 194.

excellent forum in which to court world public opinion, thereby expanding the political dimensions of the conflict. Without North Vietnamese cooperation, Nixon could not withdraw the US from the war.

In order to fulfill his promise to end the war, Nixon needed serious negotiations with the DRV. In President Nixon's Air Force Academy commencement address in June 1970, he mentioned "a willingness to negotiate" as a basic principle for "building a lasting peace."⁷ The DRV, however, was not serious about negotiating a peace that did not meet specific requirements that were advantageous to Hanoi.

The DRV made it clear that the US had to accomplish certain prerequisites before serious negotiations could begin. Without these prerequisites, the DRV wasted US negotiators' time in Paris. President Nixon made these prerequisites clear in his national address on April 20, 1970:

We were told repeatedly in the past that our adversaries would negotiate seriously if only we stopped the bombing of North Vietnam; if only we began withdrawing our forces from South Vietnam; if only we dealt with the National Liberation Front as one of the parties to the negotiations; if only we would agree in principle to removal of all of our forces from Vietnam. We have taken all these steps.⁸

The DRV imposed these preconditions incrementally, after the US and RVN went forward to meet each individual point. However, even after the US and RVN accomplished all the above steps, still the DRV refused to negotiate. Not only did it refuse to negotiate an end to the war, it refused even to negotiate the return of POWs.

⁷ Nixon, *Public Papers of the Presidents of the United States*, 117.

⁸ Nixon, *Public Papers of the Presidents of the United States*, 375-6.

From the American perspective, the repatriation of US POWs would be a positive step toward ending the war in Vietnam. The talks on POW repatriation were important because once the US POWs were repatriated, the DRV would no longer possess the political leverage to control US actions in the war. The US would have more freedom over wartime policies, which were limited by the DRV's control of US POWs. By obtaining the release of US prisoners diplomatically, the US would have the ability to leave the war without abandoning its servicemen held captive in North Vietnam.

After failing to initiate meaningful negotiations to end the war, the US tried to get the DRV interested in talking about a POW exchange. However, the DRV realized the significant leverage it held in the form of US POWs. North Vietnam also realized that successful talks on POWs would have led to their loss of POW leverage. Thus, North Vietnam was no more willing to negotiate over the repatriation of POWs than it was over the ending of the war.

The DRV also required that the elected government in the RVN step down prior to any negotiations. The Nixon Administration, after eventually meeting all other demands, refused to agree to such an outrageous precondition. “[W]e will not agree to the arrogant demand that the elected leaders of the Government of Viet-Nam be overthrown before real negotiations,” the President asserted.⁹ US negotiators were tired of dealing with DRV preconditions. The US simply wanted to conduct negotiations on a give and take basis, but the North Vietnamese were unwilling to do so. Ambassador

⁹ Philip C. Habib, “71st Plenary Session on Viet-Nam Held in Paris,” *Department of State Bulletin*, Vol. 63, No. 1619 (Washington, D.C.: Government Printing Office, 1970), 6.

David K. E. Bruce, head of the US delegation to the Paris Peace Talks, described the situation:

Look, you have two preconditions stated: (1) total, unilateral, etc., American withdrawal of all troops from Viet-Nam; (2) the overthrow of Messrs. Thieu/Ky/Khiem; the installation there of a provisional coalition government, more or less screened and set up by a minority of the population, represented through the Provisional Revolutionary Government of South Viet-Nam. 'You Americans accept that, and we will then be willing to talk to you about the issues which are necessary to be discussed and settled if there is to be a peace arrived at in Indochina.'¹⁰

Without the US meeting the precondition of removing the elected government of South Vietnam, Hanoi would not conduct negotiations. Even though the US and RVN met other preconditions, the DRV was still not prepared to compromise.

The DRV negotiators demonstrated at every turn their contempt for a negotiated settlement. They remained intransigent on their requirements and when the Nixon administration stepped forward to meet them, US diplomats received no response. The US and RVN accomplished these steps to prove their commitment to peace talks. However, the DRV was only interested in setting additional goals for US government officials to meet. The US never knew if the DRV set these goals as a deliberate method of wasting time or if they seriously wanted them accomplished prior to negotiating. Regardless, the US government was frustrated in its efforts to move the DRV to serious peace negotiations in Paris. US Congressman Earl F. Landgrebe (R-Ind.) in November 1970, said, "At present, the peace talks drag on at Paris, with no indication that the

¹⁰ David K. E. Bruce, Ambassador, "Ambassador Bruce Discusses Problem of US Prisoners of War in Southeast Asia," *Department of State Bulletin*, Vol. 63, No. 1619 (Washington, D.C.: Government Printing Office, 1970), 745.

Communists have ever seriously considered peaceful settlement. Our American POWs continue to languish in squalid concentration camps, while Hanoi callously ignores our pleading, our cajoling and our concessions on their behalf.”¹¹

The Nixon administration went to great lengths to bring the DRV to serious peace talks. On October 7, 1970, President Nixon proposed a complete cease-fire, an international Indochina Peace Conference, a complete withdrawal of US forces from Vietnam, negotiations for a political settlement to the war, and the “immediate and unconditional release of all prisoners of war held by both sides.”¹²

The release of prisoners in itself was an extremely generous proposal.¹³ In an effort to get the peace talks rolling, the US offered a prisoner exchange wholly advantageous to the DRV. The Nixon administration so intently desired the repatriation of US prisoners of war that US negotiators offered to trade 35,000 DRV prisoners for only 3,000 US and RVN prisoners.¹⁴ However, the DRV refused even that extremely generous offer at the bargaining table in Paris.

¹¹ Earl F. Landgrebe, “American Raid Shows Hanoi’s Weakness,” *Congressional Record*, November 25, 1970, Pike Collection, Unit II, Box 16, File 12, Vietnam Archive, Texas Tech University.

¹² Nixon, *Public Papers of the Presidents of the United States*, 825-7.

¹³ The American concept of generosity is the basis for this statement. The offer was statistically advantageous to the DRV, but it must be conceded that the Asian and Vietnamese concept of generosity may be very different from the one held by Americans.

¹⁴ US Senate Hearings, Committee of Foreign Relations, *Bombing Operations and the Prisoner-of-War Rescue Mission in North Vietnam* (Washington, D.C.: U.S. Government Printing Office, 1971), 6.

This North Vietnamese refusal signifies just how important US prisoners were to the DRV war effort. The POWs did not provide a military advantage to the DRV; however, they were extremely valuable as pawns and bargaining chips within the political realm of the war. The DRV refused 35,000 soldiers, a substantial military force, to keep the few hundred US prisoners. The political value of the American POWs far outweighed the military value of 35,000 free North Vietnamese soldiers.

The prisoner exchange was perhaps the key to the Nixon administration's plan for withdrawing American forces from Vietnam. If US negotiators gained the release of our POWs, the Nixon administration could withdraw on a positive note. Without the release of US POWs or the promise of their release, America could not leave the war. War protesters and POW families alike voiced their opinions about regaining American prisoners prior to ending US involvement in Vietnam. The US was in the war as long as the roughly 500 American POWs remained captive in the DRV.

American POWs were important for two main reasons. The DRV used them as bargaining chips in the Paris negotiations and reports of their mistreatment/torture inflamed American passion. The DRV knew that the American public ranked POWs as the top priority in the war and were angry with the Nixon administration for not securing their release. As long as the DRV held the POWs, they had leverage in any negotiations. According to Senator George D. Aiken (R-Vt.), the North Vietnamese held US prisoners "in order to receive satisfactory terms of settlement for ending the war."¹⁵ The DRV also

¹⁵ US Senate, *Bombing Operations and the Prisoner-of-War Rescue Mission in North Vietnam*, 12.

had the option of punishing US POWs for bombing raids conducted over North Vietnamese territory.

The POWs were symbols of America's weakness. No matter the amount of bombing the North Vietnamese endured, they could always take pride in the shoot down of an American airman. As long as the DRV retained control of US POWs, North Vietnam had something that America wanted. The POWs were of significant value to the US, and North Vietnam wanted the US to pay dearly for its involvement in the war. As symbols of the US, the downed airmen paid America's "debt" with imprisonment, starvation, and maltreatment.

Their mistreatment was the second reason that the POWs were important. Reports received from the DRV and US intelligence sources indicated that the DRV was treating US POWs very roughly. The DRV prison authorities gave the POWs little food, little or no medical attention, and tortured the POWs for information. The North Vietnamese ignored the basic international agreements governing prisoners of war.

The DRV refused to abide by the Geneva Conventions that stipulated fair and humane treatment for prisoners taken in wartime. The 1949 Geneva Conventions explained the treatment and guidelines for POWs. The Convention pointed out that detaining powers were to treat POWs humanely and protect them from undue harm. The North Vietnamese paraded American prisoners in the streets of their cities and villages, compelled many of them to make statements against their will, and even tortured many POWs. The Geneva Convention required the detaining nation to supply information on the whereabouts of POW camps and to mark the POW camps so they would be visible

from the air. The North Vietnamese marked no camps as POW compounds and deliberately concealed the locations of the prisons. The Conventions called for inspections of POW camps by neutral parties, such as the International Red Cross, but the DRV never allowed such neutral parties to inspect. In addition, the Convention directed that prisoners receive sufficient food and a normal diet to prevent loss of weight. The DRV supplied insufficient food to the POWs mainly consisting of “pumpkin soup, rice bread, and pig fat.”¹⁶

What most upset Americans were the blatantly inhumane North Vietnamese violations. Even though the Conventions directed that North Vietnam send seriously sick and wounded prisoners home, it never did. Rather than returning sick and wounded prisoners, the DRV, through third parties, simply notified the US government of POWs who died in captivity. The adequate medical care directed by the Conventions was barely sufficient to keep the POWs alive. North Vietnamese officials also refused to supply the US a list of POW names as required by the Geneva Conventions. This simple act of humanity would have helped countless families in America to know their father, son, or brother was alive. These family members sent countless letters and packages to their missing loved ones in North Vietnam, but most were sent back by the DRV, unopened. The little mail the DRV allowed to reach prisoners was woefully under the quota stipulated by the Conventions.¹⁷

¹⁶ US Senate, *Bombing Operations and the Prisoner-of-War Rescue Mission in North Vietnam*, 29.

¹⁷ US Senate, *Bombing Operations and the Prisoner-of-War Rescue Mission in North Vietnam*, 29.

Washington and Hanoi were diametrically opposed on their respective views concerning POWs. Although the US never declared war on North Vietnam, America considered its downed airmen POWs and wanted them treated as such. The North Vietnamese took a much different view of US airpower that had bombed its territory since 1964. Even during pauses in the bombing campaign, US reconnaissance aircraft accompanied by fighter planes flew over DRV territory to “photograph future targets for air raids. For Hanoi these pilots [were] war criminals, for they [had] attacked a country which [was] not a belligerent, destroying civilian targets and violating North Vietnamese air space.”¹⁸

The US was very concerned over the plight of its POWs imprisoned in North Vietnam. Due to their poor treatment, POWs died in the hands of the DRV. By all accounts more would die in captivity because of the horrendous conditions. US intelligence agencies were adept at reporting the condition of American prisoners. The US government knew that the prisoners “suffered from near-starvation diets, long periods of isolation, and, often, outright torture.”¹⁹ It was necessary to repatriate the POWs in order to save as many as possible from further harm, including death. “As the American public’s fury over the maltreatment of its POWs mounted, so inevitably did pressure on

¹⁸ Wilfred Burchett, “Nixon Bombs—with Lies,” *National Guardian*, 5 December 1970, Pike Collection, Unit I, Box 16, File 13, Vietnam Archive, Texas Tech University.

¹⁹ Orr Kelly, *From a Dark Sky: The Story of U.S. Air Force Special Operations* (Novato, California: Presidio Press, 1996), 209.

the Nixon administration to ‘do something.’”²⁰ However, the US government was almost out of options. By 1970, there was no prospect of a US military victory over North Vietnam and the prospect of a negotiated settlement was bleak. American POWs had only one remaining option for repatriation.

In the summer of 1970, the US military investigated the possibility of rescuing some POWs after receiving intelligence reports concerning Americans held captive at the Son Tay prison compound. The Pentagon was interested in the plan for good reason. “The Paris peace talks were stalemated; the POWs were North Vietnam’s strongest bargaining chip. Rescuing some of them would focus even stronger world attention on the POW/MIA tragedy—and pressure the North Vietnamese to negotiate more seriously toward the release of others.”²¹ The military felt that if some POWs could be rescued, they would talk of North Vietnamese brutality and torture. At the very least, this kind of testimony would hurt the DRV badly in world opinion. “World opinion might then persuade the North Vietnamese to treat the prisoners more humanely.”²² More optimistically, world opinion might convince the DRV to conduct good faith negotiations for the exchange of POWs.

The Pentagon brought their POW information and their plans about Son Tay to the Nixon administration. The highest authorities in the US government sanctioned the

²⁰ Michael E. Haas, Col., USAF, Ret., “‘Barbara’s’ Secret,” Draft chapter from unpublished book, *Apollo’s Warriors: United States Air Force Special Operations during the Cold War*, 2.

²¹ Benjamin Schemmer, *The Raid* (New York: Harper & Row, 1976), 39.

²² Benjamin Schemmer, *The Raid*, 39.

raid—namely President Nixon, Secretary of Defense Melvin Laird, and the Assistant to the President for National Security Affairs, Henry Kissinger. The DRV had left no alternative. The North Vietnamese had rebuffed US efforts toward a negotiated settlement for American prisoners, and chances of a US military victory in Vietnam had long since evaporated. President Nixon approved the military's request to draw up plans for the rescue of as many American POWs as possible from North Vietnam. The Pentagon itself cited the necessity of this planning process “in the face of continued and adamant refusal of the other side either to abide by the provisions of the Geneva Convention or to participate in meaningful negotiations on the exchange of prisoners of war.”²³ The Pentagon plan represented a third option after military victory and negotiations failed.

US military leaders also thought that a raid upon Son Tay, only 20 miles to the west of Hanoi, might convince the DRV that they were still vulnerable to US military power, despite the reduced troop levels.²⁴ Nixon was an advocate of displaying US military power. He believed the US had to show North Vietnam that America “had power, the will to use it, and the skill to use it effectively. This meant that we (America) were worth talking to.”²⁵

²³ US Information Service, Special Report, “Transcript of Def. Sec. Laird’s News Conference, Washington, DC, Monday, November 23, 1970,” 1, Pike Collection, Unit II, Box 16, File 12, Vietnam Archive, Texas Tech University.

²⁴ “Pentagon News Conference on US Rescue,” *New York Times*, 24 November 1970, Pike Collection, Unit II, Box 16, File 12, Vietnam Archive, Texas Tech University.

²⁵ Richard Nixon, *The Real War* (New York: Warner Books Inc., 1980), 113.

If the military successfully conducted the raid, the US could possibly force the DRV to negotiate seriously—something diplomacy, politics, and military action had been unable to do. If the raid liberated some of the DRV’s bargaining chips, perhaps the North Vietnamese would try for a settlement in order not to lose more. America could not afford to overlook any approach to force the DRV to release or exchange prisoners.

Conversely, President Nixon could not afford to overlook any possible negative ramifications of the raid. The President had received a lot of criticism for his Cambodia invasion. That invasion caused riots and protests throughout the country and an escalation of the antiwar effort following the tragic shooting of students at Kent State University by Ohio National Guard troops. Despite the raid’s good chance of success, the President was worried about the mission’s slight chance of failure. He did not want anything to happen that would put more US servicemen in North Vietnamese prisons. Lastly, President Nixon knew that the raid could be distorted as “an invasion” of the DRV and a broadening of the war. He expected this line from the press and some members of Congress who advocated leaving Vietnam to its own devices.²⁶ But in the end, the President approved the raid and passed his decision to the Secretary of Defense for execution. “A key factor in the final decision to launch this SAR mission, this search and rescue mission, was the new information that we received...that some of our men were dying in prisoner of war camps.”²⁷ The United States found out about the death of six

²⁶ Benjamin Schemmer, *The Raid*, 163-4.

²⁷ US Information Service Special Report, “Transcript of Defense Sec. Laird’s News Conf.,” 1.

POWs in the DRV via antiwar activist Sidney Peck on 13 November 1970.²⁸ Now the Nixon administration had an added reason for sending the mission forward. US officials now had information not only about the poor treatment of our POWs, but also about the death of prisoners in enemy hands.

Against this background, the US military executed the Son Tay raid on 20 November 1970. The Joint Task Group launched from Thailand and conducted the raid in a rapid and efficient manner. In addition to the actual assault force destined for Son Tay, US forces conducted diversionary attacks on Haiphong harbor. The diversionary aircraft did not strike any targets, but dropped flares to simulate an attack so the DRV would turn its attention to the East instead of to the West, where the Son Tay raiders entered North Vietnamese airspace. The commandos eliminated all PAVN soldiers at the camp while locating and opening the POW cells. However, the raiders found no POWs. After thoroughly searching the compound for the prisoners, the raiding force remounted their helicopters and returned to Thailand empty-handed.

The media first learned of the raid and the raid's results at a Pentagon briefing conducted on 23 November 1970.²⁹ Surprise and disappointment best characterized the public's immediate response. The daring raid into the heart of North Vietnam shocked many Americans, who thought that the "Vietnamization" program was an organized

²⁸ Peter Roman, "'Hate Vietnam' ploy behind U.S. raids," *National Guardian*, 5 December 1970, Pike Collection, Unit I, Box 16, File 13, Vietnam Archive, Texas Tech University.

²⁹ US Information Service Special Report, "Transcript of Defense Sec. Laird's News Conf.," 1.

withdrawal from Vietnam. The raid seemed like an expansion of hostilities since it was a penetration of DRV airspace for the purpose of landing US troops on North Vietnamese soil. A Voice of America news analyst said, “there arose a fair amount of speculation that the United States was making some basic changes in policy. The sum of the speculation is that in some as yet undefined way Washington is about to escalate the war, possibly by resuming bombing of the North or even invading it.”³⁰ Indeed, the DRV touted the raid as an invasion of their territory. Americans were also confused over the course the war was now taking. According to an article in *The New Yorker* magazine, “the Son Tay attack...left him [Nixon] open to the charge of re-escalating the war and rearoused anti-war feelings in the States.”³¹ The American public suddenly was uncertain about the Nixon administration’s goals. The public was uncomfortable with the thought of US troops assuming a more active role in the war.

Disappointment stemmed from the lack of POWs at the Son Tay prison compound. Military leaders were upset with their inability to rescue any servicemen. The raiders had trained for and conducted the mission at great personal hazard. The Pentagon had made a major investment of energy, time, and money in the hope of repatriating some of the US airmen who were paying a very high price for service to the United States. “If it had succeeded, Colonel [Arthur D. “Bull”] Simons and his men

³⁰ Ronald J. Dunlavey, VOA News Analyst, “U.S. Vietnam Policy,” Pike Collection, Unit II, Box 16, File 11, Vietnam Archive, Texas Tech University.

³¹ *The New Yorker*, “Letter from Indo-China,” 19 December 1970, Pike Collection, Unit II, Box 16, File 13, Vietnam Archive, Texas Tech University.

would have pulled off one of the few glamorous coups in an unglamorous war.”³²

Unfortunately, the situation did not turn out glamorously. The US military leadership was disappointed they were unable to aid their captive servicemen. However, the “military leaders...[were] glad the United States at last showed it had the determination to do something—successful or not.”³³

Many members of Congress were also disappointed about the lack of results from the raid.³⁴ These members were concerned that the President’s Vietnamization program would never lead to a release of US prisoners in North Vietnam, or if it did, the release would only be delayed. Many Congressional figures were openly critical of the President’s policies for ending the war and securing the release of the prisoners. In the words of Senator Albert Gore (D-Tenn.), a member of the Senate Foreign Relations Committee, “Vietnamization is not peace. Vietnamization is the very antithesis of a negotiated settlement. Our prisoners of war, their release will not be brought about, in my view, by Vietnamization, a prolonging of the war. A negotiated settlement, in which a release of the prisoners of war is a part of the settlement, is the only early hope, I fear,

³² *The Economist*, “Back to the Hills,” 28 November 1970, Pike Collection, Unit I, Box 18, File 7, Vietnam Archive, Texas Tech University.

³³ *Washington Post*, 24 November 1970, Pike Collection, Unit I, Box 18, File 7, Vietnam Archive, Texas Tech University.

³⁴ It is difficult to determine if Congressional criticism, as well as support, was genuine. By this time, the Vietnam war was unpopular with the public and some politicians were certainly urging their support or sending their criticism based on party politics. Their opinions are still important, however, since they are representatives of the American people.

for their release.”³⁵ Senator Edmund S. Muskie (D-Me.) said that fellow senators’ compassion for US POWs “should not blind [them] to the follies of the Administration’s latest military adventure.”³⁶

Not all members of Congress were critical of the raid, however. Senator John Stennis (D-Miss.), chairman of the Senate Armed Services Committee, said the raid was a “brilliant effort.” He added, “I hope this effort will highlight to the world this entire prisoner-of-war issue and the refusal of Hanoi to abide by the elemental rules of human decency.”³⁷ Senator Robert Dole (R-Kans.) said the raid was “a bold effort by courageous men who would do it again—and I hope they do.”³⁸ Congressional members, although uniformly disappointed in the raid’s results, were split on whether the Son Tay raid would be good for the US war effort.

The wives and families of POWs also were depressed over the immediate results of the raid. Relatives of POWs waited interminably for word of their loved ones. They hoped that their husband, father, or son was safe and would return home some day. The first news reports of the raid jolted many relatives with the possibility of freedom for those POWs imprisoned in North Vietnam, and just as quickly dashed their hopes when

³⁵ US Senate, Committee on Foreign Relations, *Supplemental Foreign Assistance Authorization, 1970* (Washington, D.C.: U.S. Government Printing Office, 1970), 16.

³⁶ *U.S. News & World Report*, “Daring Raids in Vietnam—Purpose of Nixon’s Move,” 7 December 1970, Pike Collection, Unit II, Box 16, File 13, Vietnam Archive, Texas Tech University.

³⁷ *U.S. News & World Report*, “Daring Raids in Vietnam.”

³⁸ *U.S. News & World Report*, “Daring Raids in Vietnam.”

they heard the raid had rescued no prisoners. In addition, some family members were afraid that the North Vietnamese would punish American POWs for the raid. The relatives thought the DRV would treat the POWs even worse than before. According to *The Economist* magazine, “It is possible that the lives of the 400-odd American soldiers and airmen whom North Vietnam is holding in the unmarked jails are now more in danger than ever. The North Vietnamese may be thinking about taking murderous reprisals for the raid despite Mr. Nixon’s warning that he will hold their leaders personally responsible.”³⁹ The DRV, the *Washington Post* speculated, might “take their anger out on the Americans still locked up in their prison compounds.”⁴⁰ Since the POWs were already in a bad state, worse treatment might not be survivable. The families thought the Nixon administration had, in effect, sentenced their loved ones in captivity to death. Senator Muskie addressed this issue also by saying, “I am troubled...that even a success in this instance would still have been a failure for hundreds of other prisoners.”⁴¹ Worried Americans could only wait for the DRV reaction.

The DRV’s response was predictable. It quickly denounced the air raids conducted in its sovereign airspace. It propagandized the attack as an operation against the population of North Vietnam. North Vietnam characterized the raid as “extremely serious acts of war by the U.S. imperialists, grossly infringing upon the sovereignty and security of the DRV, brazenly violating the U.S. pledge to totally halt the bombing of

³⁹ *The Economist*, “Back to the Hills.”

⁴⁰ *Washington Post*, 24 November 1970.

⁴¹ *U.S. News & World Report*, “Daring Raids in Vietnam.”

North Viet-Nam, and seriously threatening the work of the Paris Conference on Viet-Nam.”⁴²

The DRV did not mention anything about the use of US commandos against the Son Tay prison compound. To mention such a fact would place the DRV in a difficult situation in which it would be forced to admit its vulnerability to a US invasion. “Hanoi, it seems safe to say, indeed lost face before the world as an American rescue force went through all their air defenses and spent an hour on the ground outside the North Vietnamese capital.”⁴³ American forces landed mere miles from the center of Hanoi, assaulted a North Vietnamese prison manned with PAVN troops, and escaped without injury. According to the *Washington Post*, the raid “penetrated deeper into North Vietnam than any have since the United States halted its sustained bombing of the North on Nov. 1, 1968. U.S. officials are now convinced that the commando raid at Sontay, just 23 miles from the capital city of Hanoi, caused great embarrassment and chagrin for North Vietnam’s air defense strategists.”⁴⁴ To admit this truth, the DRV would admit its inability to counter US military power and to protect the people of North Vietnam from US attack.

Although the raid embarrassed the DRV, some critics of the raid took a stance that the raid actually helped the DRV. One critic in December 1970, said, “the attack

⁴² “DRV Foreign Ministry Statement on November 21 Bombings,” 1, Pike Collection, Unit II, Box 16, File 12, Vietnam Archive, Texas Tech University.

⁴³ *Washington Post*, 24 November 1970.

⁴⁴ *Washington Post*, 29 November 1970, Pike Collection, Unit I, Box 18, File 7, Vietnam Archive, Texas Tech University.

stiffened the morale of the North Vietnamese—which was higher during the days of constant bombing than it is now—by making the people aware of the danger of an invasion.”⁴⁵ This view does not seem very well thought out, because the North Vietnamese people were not aware of the raid. The government of the DRV did not disclose the fact that US forces had landed ground forces only 20 miles from Hanoi. Therefore, the North Vietnamese people could not have had their morale stiffened by an incident about which they knew nothing.

The short-term results of the raid were not good. The military leadership was upset at their inability to rescue their men from captivity. Congress and the public were disappointed with the results and worried that the raid signified a deeper US role in the Vietnam war. Family members feared the DRV would exact retribution on the POWs already held in mean estate. The DRV appeared indignant and recalcitrant. It seemed as if the Son Tay raid was not merely unsuccessful, but an utter failure politically and militarily. However, as America’s leadership studied the raid, they took note of several successes.

The Son Tay raid had several long-term ramifications that worked to the advantage of the US. The first success of the raid was that the US demonstrated its military capability to the DRV. The DRV now had first-hand knowledge of the US military’s ability to mount quick and accurate strikes against North Vietnamese ground targets using commandos. Helicopters complemented the commandos with air support to achieve local superiority over PAVN forces. American military technology was advanced

⁴⁵ *The New Yorker*, “Letter from Indo-China.”

enough to carry out more strikes if the US so chose. Due to the PAVN deficiency in technology, it could not react in a timely manner to counter future incursions by US forces.

Up to this point in the Vietnam war, US and ARVN forces had not launched any invasions of the DRV. The Son Tay raid, however, pointed out to the DRV just how effectively US forces could operate on the ground in North Vietnam. Senator J. W. Fulbright (D-Ark.), chairman of the Committee on Foreign Relations, pointed out that the Son Tay raid should “demonstrate to North Vietnam how helpless they really are to resist the tremendous technological perfection of the American Air Force. In other words, this was a very effective demonstration that we have the capability almost at will to invade their country with a sizeable contingent of soldiers.”⁴⁶ The raid also pointed out the DRV’s inability to detect, deter, and counter American strikes and raids. In the unlikely case that the US decided to invade the DRV, the PAVN was ill equipped to offer effective opposition.

The DRV had to examine the Son Tay raid as a demonstration of US resolve. The raid “was a sign to Americans that President Nixon [had] not forgotten the men left in North Vietnam, and a warning to Hanoi that he [was] still prepared to use the weapons in the American arsenal.”⁴⁷ It not only demonstrated US resolve to repatriate its POWs, but also US resolve to strike at North Vietnam with ground forces inserted by helicopters. In essence, the raid demonstrated American determination to launch additional incursions, if

⁴⁶ US Senate, *Supplemental Foreign Assistance Authorization, 1970*, 123.

⁴⁷ *The Economist*, “Back to the Hills.”

need be, to rescue its POWs or bring the war to an end. The promise of possible US incursions on North Vietnamese soil made the DRV realize how important negotiations were to preserving their gains in the war to date.

The demonstration of American capability and resolve undoubtedly forced the DRV to take the Paris negotiations seriously. The DRV had to alter their policy of delay and obfuscation and treat the Paris talks for what they were—a means for discussing substantive issues between belligerents. The results of the Son Tay raid most certainly caused the DRV to rethink their intransigence vis-à-vis US POWs. The US was insisting “on the right to free mistreated prisoners of war if it [could] be done.”⁴⁸ The Son Tay raid put North Vietnam on notice either to make a deal for returning US POWs or risk having the US conduct raids to rescue them.

These raids by US military forces had two unpalatable outcomes for the DRV. First, US forces had the potential to rescue some POWs. Secretary of Defense Melvin Laird said the signal to North Vietnam was that the US was concerned about the POWs and that America had “rather unusual means to assure that they [returned] as free men.”⁴⁹ In this case, the DRV could possibly lose many of their valuable bargaining chips and propaganda pieces. North Vietnam would simply lose more political leverage with every possible POW rescue, while the US steadily reduced one of the impediments restricting its actions in the war. The second possible outcome of US raids on the DRV was for US

⁴⁸ Dunlavey, “U.S. Vietnam Policy.”

⁴⁹ *Vietnam Roundup*, “Laird Would Seek Bombing if Enemy Breached ‘Accord,’” 25 November 1970, Pike Collection, Unit I, Box 18, File 7.

forces to inflict repeated casualties on PAVN forces, even though the raids rescued no POWs. These raids would be like the Son Tay mission. US forces could achieve local superiority in DRV territory and achieve quick victories before the PAVN could react.

This prospect undoubtedly concerned the DRV leadership because the US could move the war northward, demoralizing the North Vietnamese population in the process. Rather than infiltrating troops to fight on RVN territory, PAVN forces would be forced to fight for the protection of DRV territory. Again, this concern probably forced the DRV to seriously negotiate the return of US prisoners.

Another success of the Son Tay raid was the hope it gave the US POWs already in DRV prison camps. If the prisoners did not hear about the rescue attempt from the PAVN guards, they heard about it from airmen shot down and captured after the raid. The news that US forces raided a DRV prison camp gave many POWs renewed hope.⁵⁰ The prisoners knew that America had not forgotten them. Some prisoners, after many years of captivity, still had hope that the US would rescue them, and such hope frequently was the only thing that kept them alive. US leaders understood the importance of hope. The Secretary of Defense stated in a post-raid Congressional hearing, "In order to maintain oneself for 5, 4, 3 years, there must be hope, and...many of our prisoners of war were losing their hope and faith. I felt that this was important to their survival. We have not only shown North Vietnam, but we have also shown the prisoners of war that we do

⁵⁰ Interview with former POW Col. Norman McDaniel, 17 April 1997.

care, that we do have the capability to go forward with their rescue.”⁵¹ The Son Tay raid restored the prisoners’ hope that they would see home again; thus, prisoner morale was heightened.

Some critics thought the temporary raising of prisoner morale was wrong, however. *The New Yorker* magazine wrote,

About three hundred and seventy prisoners, almost all of them pilots, are known to be alive, and, of the remaining eleven hundred or so men officially listed as missing, it is optimistically assumed by the Pentagon that half or more are still alive in various camps. Regardless of their numbers, to go on raising hopes about freeing them by force is to deal crassly with their tragic condition and with the emotions of their families, however brave the Son Tay attempt may have been.⁵²

It was obvious that the media and the public did not unanimously agree with increasing the POWs’ morale. Those who felt the US could not successfully rescue any POWs thought such superficial raising of prisoner morale was cruel and unwarranted.

Testimony from former prisoner of war, Colonel Norman McDaniel, refuted these ideas. Colonel McDaniel testified to the great boost of morale and the positive outlook of many POWs after the Son Tay raid.⁵³

The morale of the prisoners improved further when, in the wake of the raid, the DRV rearranged their prison system. One reason the US military conducted the raid was because Son Tay was an isolated installation. The compound was remote enough to land

⁵¹ US Senate, *Bombing Operations and the Prisoner-of-War Rescue Mission in North Vietnam*, 23.

⁵² *The New Yorker*, “Letter from Indo-China.”

⁵³ Interview with former POW Col. Norman McDaniel, 17 April 1997.

significant commando forces to free any possible POWs. US prisoners “were scattered in small compounds in Hanoi and the surrounding area, where their hope for decent treatment rested on the whim of each prison commander and even of individual guards.”⁵⁴ The guards frequently kept the US POWs in isolation from other Americans as a form of mental torture. In the wake of the Son Tay raid, the DRV grouped US POWs together in less isolated prisons. The new prison system enabled the prisoners to give moral and physical support to each other. Such support had been much more difficult in the old system when the DRV had scattered the prisoners across much of North Vietnam.

Following the raid, the DRV also improved their treatment of the prisoners. Perhaps this was due to a concern that if American military raids freed any POWs, the DRV did not want the prisoners to look maltreated or neglected. Or perhaps the DRV anticipated making a deal for the return of the prisoners before they lost them to US raiding parties. Again, the DRV would want the POWs to look as healthy as possible. The reason the DRV wanted the prisoners to appear unharmed was that North Vietnam depended on foreign aid to prosecute the war. The North Vietnamese feared poorly treated US POWs might turn world opinion against them. North Vietnam worked very hard to make America look bad on the world stage. “American prisoners were used to demonstrate American aggression before world public opinion.”⁵⁵ Without foreign aid

⁵⁴ Kelly, *From a Dark Sky: The Story of U.S. Air Force Special Operations*, 209.

⁵⁵ CIA Intelligence Information Report, “Viet Cong Policy Toward Prisoners of War,” 6 October 1967, CIA Documents, Box 2, File 57, Vietnam Archive, Texas Tech University.

from countries like the Soviet Union or China, the DRV would be unable to feed its own people, much less continue the war.

The prisoners also received better living conditions since the DRV grouped them together in congested areas like Hanoi. The Hanoi prisons were at the very least buildings rather than the bamboo cages in which some POWs had been housed before the Son Tay raid. US prisoners were not as exposed to the elements and began to receive regular, if insufficient, meals from the PAVN guards.

One drawback of the raid was the significantly reduced probability of success for future POW rescue attempts. The raid was “expected to result in tightened security control of U.S. prisoners, plus greater air defense.”⁵⁶ Since the North Vietnamese had centralized the POWs in the congested and populated Hanoi area, the US military could no longer pit a small raiding team against the garrison of an isolated prison. There were no isolated prisons left. The mounting of another raid, if feasible, would undoubtedly have entailed much larger numbers of ground troops to overcome the weight of PAVN troops in and around Hanoi. “At a minimum, the North Vietnamese [made] it harder for such a surprise raid to be carried out against them again.”⁵⁷

The unknown nature of the North Vietnamese reaction was another drawback of the Son Tay raid. According to the *New York Times* after the raid, “It would be gratifying if the shock of the raid were to extract some future concessions from the North Vietnamese over prisoners. Much more probable is a hardening all around at the Paris

⁵⁶ *Washington Post*, 29 November 1970.

⁵⁷ *Washington Post*, 24 November 1970.

peace talks and stronger suspicions in Hanoi over what American policy really is in winding down the war.”⁵⁸ However, there were some very positive signals from Hanoi that made US officials believe that the raid had indeed done some good. DRV press releases frequently referred to US airmen as “war criminals” and “pirates.” Immediately after the raid, the North Vietnamese press releases ceased using these labels. According to a post-raid *Washington Post* article:

Absent from the latest statement were any characterizations of the captured U.S. pilots as “war criminals,” “bandits,” “pirates,” or “aggressors.” Instead, Hanoi said: “The government of the Democratic Republic of Vietnam had unwaveringly carried out a humanitarian policy vis-à-vis the captured U.S. pilots. It has taken measures to ensure their safety. The U.S. threat to strike and take away pilots in detention camps shows how adventurous and hysterical the U.S. authorities are!”⁵⁹

The simple act of the DRV referring to US airmen as “pilots” indicated a positive improvement in DRV POW policy.

The last negative note struck by the raid was the political pressure the Nixon administration experienced from anti-war activists in America. The raid gave the war protesters more ammunition because it was viewed by some as war escalation and an invasion of North Vietnam. They accused President Nixon of conducting the raid for the sole purpose of rallying American emotional support through the only remaining avenue—the POW controversy. According to Peter Weiss, a lawyer and anti-war advocate, “The POW campaign is the only emotional issue the Nixon administration has left...it’s the only question around which it is possible to generate real hatred for the

⁵⁸ *Washington Post*, 29 November 1970.

⁵⁹ *Washington Post*, 29 November 1970.

North Vietnamese.”⁶⁰ Weiss said that Nixon parlayed the results of the Son Tay raid to appease the “millions of people in this country who [wanted] him to do something about the POWs.”⁶¹ Nixon was accused of simply conducting the raid to absolve himself of “not doing anything” about the POWs.

The raid at Son Tay set a precedent for US action in the Vietnam war involving prisoners of war. Heretofore the US had operated on the assumption that only military victory or a negotiated settlement could win the release of its POWs. Yet neither of these options had borne fruit.

The US tried to achieve its foreign policy goals by committing over half a million troops to the defense of the RVN. However, military victory over the DRV never was a US goal. Therefore, US POWs would not be released as a result of DRV surrender. Casualties mounted as a result of increased US military operations, and the public reacted negatively to the losses. The public could not justify the price in American lives to protect South Vietnam from communism, and demanded a reduction in US involvement. Many cited the growing opposition to the war as the principal cause of President Johnson’s decision not to seek re-election. Richard Nixon won the 1968 elections with the promise that he had a “secret plan” to end the war. Through a process the Nixon administration dubbed “Vietnamization,” the US presence in Vietnam was halved by 1970. As American troops withdrew, any chance of a US military victory faded. Only negotiations remained.

⁶⁰ Peter Roman, “‘Hate Vietnam’ ploy behind U.S. raids.”

⁶¹ Peter Roman, “‘Hate Vietnam’ ploy behind U.S. raids.”

Negotiations with the North Vietnamese proved unsuccessful. The DRV used the Paris Peace talks as a forum in which to court public support, while refusing to address substantive issues. While the Paris peace talks remained stalled, American airmen shot down over North Vietnam were suffering in DRV prisons. Since the DRV refused to abide by the Geneva Conventions, to which it was a signatory, the US had no guarantee that North Vietnam would even abide by a negotiated settlement. If the DRV held one international agreement in contempt, what would stop it from reneging on any future agreement with America? The US appealed “to public opinion throughout the world for sympathetic expressions concerning the American prisoners of war held by Vietnam.”⁶² Even worldwide public opinion did not pressure the DRV into serious negotiations in Paris. Clearly, negotiation alone would not resolve the POW issue.

The US had to coerce North Vietnam into releasing American POWs. Military action toward this purpose—winning the release of POWs—was necessary. If the raid succeeded, repatriated US POWs would be free. If the raid failed in its objective, it was still useful in sending a message to the DRV. Successful or not, the raid on Son Tay was a bold operation to signal North Vietnam that the US would not “tolerate continued inhumane treatment of American prisoners of war in flagrant violation of civilized standards of respect for human dignity.”⁶³ US military and political leaders believed “the positive use of our military power, with its purpose of victory as unmistakable as that of

⁶² David Lawrence, “Message for Hanoi in POW Raid,” *Washington Star*, 26 November, 1970, Pike Collection, Unit II, Box 16, File 12, Vietnam Archive, Texas Tech University.

⁶³ Lawrence, “Message for Hanoi in POW Raid.”

Hanoi, could conceivably get the Paris talks off dead center.”⁶⁴ The lessons of the Son Tay raid at least gave the DRV the motivation to negotiate and helped remove some of the bargaining power gained by holding American POWs. Until the North Vietnamese returned the POWs, America could continue to raid the DRV countryside, which made the North Vietnamese appear extremely weak.

⁶⁴ Landgrebe, “American Raid Shows Hanoi’s Weakness.”

CHAPTER V

THE POLITICAL IMPACT OF POWS IN POST- VIETNAM LIMITED WAR EXPERIENCES

Vietnam was the second of many post-World War II situations which showed the vulnerability of US policy when it came to prisoners of war. The Korean War initially demonstrated the usefulness of POWs as political leverage, but the Vietnam War signaled that Korea was simply the beginning of a trend. Without the lessons from Vietnam, the political mistreatment of Korean War POWs would probably have been dismissed. Just as two points are necessary to draw a straight line, both Korea and Vietnam were necessary to show the trend in POW treatment, and just as the second point defines the location of a line, so did Vietnam tend to define the political usefulness of POWs.

Three successive US administrations, led by Presidents Kennedy, Johnson, and Nixon, had used the military to carry out US foreign policy in Vietnam.¹ President Johnson greatly expanded the role of the US military, particularly the air war waged against North Vietnam and the Viet Cong insurgents in South Vietnam. The gradual escalation in the application of American military power was designed to communicate US policy. The policy of "gradually increasing pressure," designed by Secretary of Defense Robert S. McNamara, sought to convey to North Vietnam the strength of our

¹ This statement is not meant to imply that the State Department was ignored in the formation or execution of US foreign policy. The State Department approved of and frequently recommended, the use of military force in the pursuit of foreign policy.

commitment to South Vietnam's defense.² The US simply planned to increase the pressure on the DRV until they accepted US policy. It was thought that the use of gradual escalation would eventually discover the threshold at which the DRV would capitulate to US wishes.

The US government based its policy on the assumption that if the US placed North Vietnam under enough political and military pressure, the North Vietnamese would conform to US policy rather than be subjected to the next step of gradual escalation. This entire strategy, however, assumed that the DRV would not be able to apply political or military pressure on the US in a similar fashion. This was a critical flaw in US policy toward Vietnam. If the DRV was able to generate as much political or military pressure on America as the US created for the DRV, then the likelihood of DRV capitulation was fair at best, especially since the DRV, unlike the US, did not have to worry about popular support. After all, as long as the DRV kept similar pressure on the US and avoided a total

² McNamara thought the use of force was a method of communication rather than a method of destruction. The use of military action for diplomatic communication blurred the responsibilities between the State Department and the Defense Department, which undoubtedly further removed the Chiefs of Staff from military planning. H. R. McMaster, Major, USA, *Dereliction of Duty: Lyndon Johnson, Robert McNamara, the Joint Chiefs of Staff, and the Lies That Led to Vietnam* (New York: HarperCollins, 1997), 160. Thus, military victory was not the goal of the US effort in Vietnam, but rather a negotiated settlement, in which the US was making its POWs important bargaining chips for the North Vietnamese. It is important to note McNamara's faulty logic at determining that gradually increasing pressure was a tried and proven method of military commitment. He pointed to his Cuban Missile Crisis strategy of increasing pressure on the USSR and the positive outcome it obtained for the US. However, "he suppressed the critical role of the [Turkish] missile trade-off in ending the crisis," thereby giving credit to his strategy which did not by itself achieve victory in Cuba. McMaster, *Dereliction of Duty*, 30.

military defeat, they stood an even chance for victory. The US was equally likely to yield to North Vietnamese political pressure.

The focus of North Vietnamese pressure on America was the POWs. The DRV was able to use US POWs as political pawns. The DRV propaganda machine influenced the Vietnamese, the world, and most effectively, the people of the United States. Despite US efforts to negotiate the return of its POWs, the DRV held them as virtual hostages to guarantee its political leverage in the event the DRV sought peace negotiations. The DRV could demand more concessions from the US if they held US POWs, in whom the American public placed increasing importance.

In fact, the term “hostage” more accurately defined the status of a US POW in Vietnam. *Webster’s Ninth New Collegiate Dictionary* defines “hostage” as, “a person held by one party in a conflict as a pledge that promises will be kept or terms met by the other party.”³ The North Vietnamese held US POWs to secure a preferential settlement to the US withdrawal from Vietnam. POWs became a central issue, if not *the* central issue, for the US withdrawal. However, the DRV held the power—US POWs—to control the US exit from the war.

As a result of Vietnam, the US learned that limited warfare placed more restrictions on the use of military power, especially airpower, than originally thought. The use of air assets in limited warfare sent American airmen deep into enemy territory. In the event they were shot down, there was every reason to expect that a large percentage of

³ *Webster’s Ninth New Collegiate Dictionary* (Springfield, Mass.: Merriam-Webster, Inc., 1987), 583.

the airmen would be captured and held by the enemy. Every time US airmen were sent on a mission to North Vietnam, they operated behind enemy lines, thus making the enemy acquisition of diplomatic bargaining chips extremely easy. POWs had to be viewed for what they were—drawbacks to the US war effort and inhibitors of US policy. The DRV simply held US airmen as hostages to shore up their negotiating positions.

When taken together, Korea and Vietnam pointed to a pattern of sharply restrained warfare where politics played an increasingly important role in the outcome of the war. US POWs in each war were subjected to inhumane treatment as the enemy sought to exploit them for propaganda purposes. The aim of such propaganda was to shield themselves from the anticipated US escalation and to coerce the US government to agree to enemy demands during negotiations.

The message that should have been learned from Vietnam was that POWs can get in the way of US policy and US goals in limited war situations. The US went into Vietnam with specific goals: the defense of the RVN government, the preservation of an anti-Communist nation, and the destruction of all North Vietnamese aid to the insurgency in South Vietnam.⁴ Eventually, the US war aims shifted to withdrawing with honor and the repatriation of US POWs, neither of which was an original goal. The Johnson administration, at the height of the Vietnam War, used the policy of gradual escalation without adequate analysis. The huge bombing efforts of the air war against North Vietnam did not take into account the political ramifications of POWs.

⁴ The overall US policy was aimed at the containment of Communism, and US goals in Vietnam were consistent with that policy. The preservation of a “democratic” RVN government was key to the policy of containment.

The US has been involved in many foreign policy conflicts in the years since the end of the Vietnam War. Some easily fell into the definition of limited warfare and others did not. The study of a few cases further illustrates the continued political exploitation of American prisoners and the negative effect which even one captive American can have on US policy and US credibility. These cases will also highlight how the use of airpower in limited wars can backfire by giving the enemy the political leverage to dictate the conflict's resolution.

The first case took place in May 1975. The new Khmer Rouge government of Cambodia seized the US merchant ship, S.S. *Mayaguez*, in the international waters of the Gulf of Thailand. The Cambodians seized the ship with gunboats, against which the crew of the unarmed merchant ship could do nothing but allow themselves to be boarded. The ship and crew were taken to the Cambodian island, Koh Tang. This was another US setback, following closely the collapse of South Vietnam and the fall of Saigon on 30 April 1975. Just two weeks earlier, the Lon Nol government in Phnom Penh had fallen to Pol Pot's Khmer Rouge. This double setback to US foreign policy dealt a severe blow to US credibility worldwide, but most significantly in Southeast Asia.

President Ford felt that the *Mayaguez* had become a symbol of US foreign policy; thus America had to respond strongly to reassert its power in the region.⁵ According to historian Roy Rowan, "The fate of the *Mayaguez* could become entangled in questions

⁵ Roy Rowan, *The Four Days of Mayaguez* (New York: W. W. Norton & Co., Inc., 1975), 68.

confronting U.S. foreign policy in Asia, or for that matter, all over the world.”⁶ The US was under fire from its allies in the region for its lack of resolve concerning South Vietnam and Cambodia, where the United States had conducted last minute helicopter evacuations from those nations’ capitals.⁷ The US retreat from those nations left other US allies, such as South Korea and the Philippines, wondering aloud about the US commitment to their security.⁸

Our allies’ concern over the US commitment to their security was justified. US credibility had taken a severe beating over the loss of Vietnam, Cambodia, and Laos to Communist insurgencies directed by the DRV, which in turn was aided by China and the USSR. At this point, the US was confronting communism all over the globe and fighting the Cold War with the Soviet Union and its satellites. US allies in Europe were uncomfortable with the perceived US weaknesses in foreign policy and world credibility. In a planned visit to Europe, “President Ford knew he would be called on to reassert U.S. fortitude to his NATO allies.”⁹

⁶ Rowan, *The Four Days of Mayaguez*, 68.

⁷ The US lack of resolve is a complex and sensitive issue. At the center of this issue is the debate over where the blame lies for the lack of resolve. Many Nixon administration officials, such as Secretary of State Kissinger and US ambassador to South Vietnam, Graham Martin, claim that the fault lies with Congress, which refused to vote military funds for the support of South Vietnam in 1975. However, Congress was “simply reflecting the opinion of the overwhelming majority of American, who favored no further aid to the Saigon government.” Stanley Karnow, *Vietnam: A History* (New York: Viking Press, 1983), 667.

⁸ Rowan, *The Four Days of Mayaguez*, 68.

⁹ Rowan, *The Four Days of Mayaguez*, 68.

The overriding concerns of the *Mayaguez* incident were the retrieval of the ship and its crew. The US wanted to rescue both before the crew could be removed from the ship. Prompt action would prevent the crew from becoming political hostages in Cambodia; it also would achieve the two goals with a single operation. The US had just ended two decades of direct involvement in Southeast Asia, and had learned a few lessons along the way. The American government had learned hard lessons from the DRV concerning political hostages. That is exactly what US POWs had become during the war. It took nearly five years of negotiation to secure the return of US POWs from Hanoi, and the US did not want another drawn out affair fraught with political blackmail over the *Mayaguez* crew.

The hostage situation for the *Mayaguez* crew was very similar to the Vietnam POW situation—both were political hostages. Falling back on the three methods of POW repatriation, the US had only one clear option. Military victory was excluded from the beginning of the *Mayaguez* situation because the US would not commit large numbers of US troops to Southeast Asia again. America had just extricated itself from a long military commitment in Vietnam, and neither the government nor the public would countenance another such commitment.

Negotiated settlement was a possibility, but not a good one. The US relationship with Cambodia was frigid, since the US had supported the former Cambodian government's fight against the current regime. However, President Ford had instructed

diplomatic maneuvers on the off chance that Cambodia would agree to release the ship and its crew.¹⁰

The rescue of the *Mayaguez* and its crew was the last option. President Ford ordered the initiation of military actions for that purpose; 1,100 Marines were deployed to Thailand, reconnaissance flights were ordered to watch over the area where the ship was anchored, and the aircraft carrier *Coral Sea* and other US Navy ships was sent to the area.¹¹ In addition, US Air Force aircraft from Thailand were tasked to support the operation.

The United States was covering every possibility to resolve the situation. As events of the four-day situation unfolded, the US was unable to prevent the crew from being taken to the Cambodian mainland port of Kompong Som, where they were held for a short time and then released. A Thai fishing boat was transporting the crew back to the ship, when a US Navy destroyer intercepted and rescued the crew. Meanwhile, US forces had assaulted the island where the *Mayaguez* was anchored, and took heavy casualties from entrenched Khmer Rouge forces. US attack aircraft had also struck two Cambodian targets on the mainland in support of the Marine assault. Eventually all US forces were withdrawn, the crew was rescued, and the ship was towed to safety.

Although the *Mayaguez* crew was not a US military force, and they were not POWs in a war situation, they were potential political hostages. If Cambodia had chosen to hold the hostages, they may have been able to coerce the US government into war

¹⁰ Rowan, *The Four Days of Mayaguez*, 68-69.

¹¹ Rowan, *The Four Days of Mayaguez*, 69.

reparations or some other type of aid. The significance of the hostage situation was evident in the actions of President Ford, who immediately began diplomatic negotiations and prepared for a military rescue.

This foreign policy crisis also depicted the importance of such situations to US credibility worldwide. "More than the crew of the *Mayaguez* was at stake. There was need, particularly after the evacuations of Phnom Penh and Saigon, to dispel doubts about U.S. will and its capacity to respond to provocation."¹² A seemingly small incident can have much larger national ramifications. According to Roy Rowan, Secretary of State Henry Kissinger "argued that if Cambodia used the *Mayaguez* crew the way North Korea had used the *Pueblo* crew, it could radically deteriorate the American position in the rest of Asia."¹³ World opinion and US national opinion are affected by political propaganda created by America's enemies.

The impact of US military intervention in the *Mayaguez* affair characterized America's stand against the political exploitation of US hostages. The US served notice that it would not stand by and let its people be mistreated by foreign nations. Although the crew of the ship were not US servicemen, a definite parallel can be drawn between the crew of the *Mayaguez* and POWs. The US government decided to establish a policy

¹² Rowan, *The Four Days of Mayaguez*, 141.

¹³ Rowan, *The Four Days of Mayaguez*, 141-142. The USS *Pueblo* was seized by North Korea on 23 January 1968. One crewman was killed by North Korean gunboats and the rest captured and held in North Korea for nearly a year. The North Koreans used the crew as political hostages and forced the crew to make statements against the US government. It was a very embarrassing and damaging situation for the US government as evidenced by Henry Kissinger's remark. Lloyd M. Bucher, Cmdr., USN, and Mark Rascovich, *Bucher: My Story* (New York: Doubleday and Co., 1970), 193.

against the exploitation of political hostages, including prisoners of war, and made the international community aware of that policy through its actions against Cambodia.

Another case which shows the political ramifications of POWs occurred in Lebanon during December 1983 and January 1984.¹⁴ President Reagan ordered retaliatory air strikes on Syrian antiaircraft positions near Beirut in response to antiaircraft fire directed at US reconnaissance aircraft flying missions over central Lebanon. Two out of the 28 US strike aircraft were shot down.¹⁵ Of the three US airmen in the two aircraft, one was rescued by a US helicopter, one was killed, and one was captured by the Syrian armed forces. The captured airman was Navy Lieutenant Robert O. Goodman, Jr.¹⁶

The Beirut raid provides an excellent example of limited warfare through the use of airpower. The US air strikes were designed to enforce US policy, which was being challenged by Syria. The US sought to emphasize the American ability to conduct reconnaissance missions over Lebanon. The reconnaissance missions were part of a larger US policy concerning the withdrawal of Syrian troops from Lebanon. Reagan administration officials said "that in deciding to use air power against Syrian positions...the Administration was seeking to send a signal to the Syrians that they would risk increased American...military pressure if they refused to negotiate a withdrawal from Lebanon."¹⁷ Syria took exception to US policy by firing on US reconnaissance aircraft.

¹⁴ *New York Times*, 4 December 1983; 4 January 1984.

¹⁵ *New York Times*, 5 December 1983.

¹⁶ *New York Times*, 6 December 1983.

¹⁷ *New York Times*, 6 December 1983.

The US escalated the conflict by carrying out the air attack against the Syrian antiaircraft positions which resulted in the capture of Lieutenant Goodman. According to the *New York Times*, the air attack was “the first time American jet aircraft have been lost in combat since the Vietnam War.”¹⁸

The political importance of Lieutenant Goodman was soon apparent. Syria held a US POW and made it very clear that he was considered a POW. Syrian Defense Minister, Lieutenant General Mustapha Tlas, when asked when the American airman would be returned, replied, “Like in all wars, when the war is over. That is when the Americans will leave Lebanon.”¹⁹

Syria thus indicated it would return Lieutenant Goodman when the war was over and that the war would not be over until US military forces withdrew from Lebanon. The Syrian government was using the US POW to obtain a favorable settlement to the crisis. The US had requested that Syria return Lieutenant Goodman to American control, thus conveying the US goal of POW repatriation.²⁰ However, Syria viewed the events in Lebanon as a limited war in which a US POW was worth serious concessions on the part of America. Syrian officials even said, “that by continuing to hold Lieutenant Goodman, Syria wanted to demonstrate its determination to resist the United States presence in Lebanon.”²¹

¹⁸ *New York Times*, 5 December 1983.

¹⁹ *New York Times*, 6 December 1983.

²⁰ *New York Times*, 6 December 1983.

²¹ *New York Times*, 1 January 1984.

The situation took on even greater political importance as the Rev. Jesse Jackson, a Democratic presidential candidate, arrived in Syria on a “humanitarian mission” to negotiate the release of Lieutenant Goodman. National opinion began to take great interest in Jackson’s mission. In addition to the international scope of the crisis, the arrival of a US presidential candidate focused national attention on Lieutenant Goodman. The simple introduction of a presidential candidate immediately turned the POW situation into partisan politics between the Reagan administration and Jackson. The White House was clearly not enthused about Jackson’s self-appointed mission. The White House told the press “that a trip to Syria by Mr. Jackson could hinder rather than help the Administration’s efforts to gain Lieutenant Goodman’s release.”²² While uncertainty surrounded the motives of Jackson’s mission, it brought the American political spotlight not only to his candidacy, but also to US presidential politics and the POW situation.

Syria was capitalizing on an opportunity to use a US POW for political concessions. The Syrian government was able to receive a prominent US citizen, who was not a member of the Reagan administration, thereby causing a certain amount of embarrassment for the US government. In addition to embarrassing the Reagan administration, Jackson strengthened his image as a presidential candidate. Overall US credibility was weakened since State Department officials were unable to initiate serious negotiations concerning Lieutenant Goodman, while Jackson succeeded almost immediately, by meeting not only with Lieutenant Goodman, but also with Syrian

²² *New York Times*, 4 January 1984.

President Hafez al-Assad.²³ Assad was, of course, only too willing to cause embarrassment to the government that was responsible for thwarting his aims in Lebanon, and the detainment of Lieutenant Goodman served that purpose. After only five days of negotiating with Jackson, Syria freed Lieutenant Goodman on 3 January 1984.²⁴

Lieutenant Goodman's POW situation illustrates the many difficulties of conducting limited war with only airpower. When US aircraft were committed to strikes in enemy territory, a POW scenario was almost assured if any aircraft were shot down. The Reagan administration did not seem to expect losses, and if it did, no strategy existed for the repatriation of downed airmen. This is not to say that airpower did not fulfill its mission in asserting US foreign policy. Victory was impossible unless America was prepared to go to war, which would have required the presence of US military forces in large numbers. The US was unwilling to make a large military commitment, and without the introduction of large numbers of US combat troops, Syria had the advantage. A POW rescue was not a possibility since Lieutenant Goodman was held in a Syrian military installation in Damascus. The potential for losses among US rescuers was too high. At least in contrast to Vietnam POWs, Lieutenant Goodman was well treated. His good health and fair treatment mitigated any immediate need for a rescue mission. Syria was abiding by the Geneva Conventions. Negotiations were the only hope for securing Goodman's release and Jackson's mission was successful.

²³ *New York Times*, 1 January 1984; 3 January 1984.

²⁴ *New York Times*, 4 January 1984.

The success of Jackson's negotiations was not without a price for the US. The government looked foolish for bombing Syrian antiaircraft positions and then having to ask Syria to return a US POW from that very raid. US policy in the region was thwarted because the Syrians held the trump card—a US POW. The POW was returned, but the price was Reagan administration embarrassment at the world and national level. Although the Administration said "they were pleased that the United States had not had to make any diplomatic concessions in return for the flier's freedom," this was not the case.²⁵ The Syrians were able to use Goodman to get the US to negotiate with Syria as an equal. The Lebanon situation was no longer going to be decided solely through the use of US military power. President Reagan even said the POW's return was "an opportune moment to put all the issues on the table."²⁶ In other words, the US would consult with Syria over the future of Lebanon. For Syria, this was a vast improvement in its position. Syria cashed in its diplomatic bargaining chip to gain a position of strength. Had the US thought about the concessions and embarrassment a POW situation might have caused, perhaps the air strikes would not have been launched.

This is not to say that airpower is always a political liability in limited warfare. The US had no vital interest in Lebanon and was unwilling to commit large military forces. Therefore, the situation was going to be handled diplomatically, and allowing the Syrians the luxury of a US POW strengthened their leverage diplomatically. If airpower is to be used effectively without needlessly chancing US pilots to enemy capture, its use must be

²⁵ *New York Times*, 4 January 1984.

²⁶ *New York Times*, 4 January 1984.

limited to situations where US vital interests are at stake. These vital interests guarantee the full commitment of American political and military power, and US servicemen and women, as well as the American public, understand the risks of combat and possible capture. When the risks to US servicemen and women are understood and accepted, the potential leverage due to US POWs is reduced. Americans are more willing to make sacrifices when US vital interests are at stake and when US political leadership explains the severity of the threat to those vital interests.

The next example of limited warfare and POW exploitation occurred in 1991, and concerned US vital interests. In response to Iraq's August 1990 invasion and annexation of Kuwait, the US, Britain, France, Saudi Arabia, and other United Nations (UN) members formed a coalition to counter Iraqi aggression and liberate Kuwait. A conflict on the upper end of the limited war spectrum began on 17 January 1991.²⁷ The war was exclusively an air war for 38 days as over 2400 coalition aircraft battered Iraqi military targets ranging from command and control facilities to bridges.²⁸ In the course of the air war, however, the US and coalition air forces had aircraft shot down and their airmen captured by the Iraqi military.

The political situation of the Gulf War was complex. After Iraq invaded Kuwait in August 1990, the United Nations imposed sanctions against the Iraqi regime of Saddam Hussein. In response to these international measures, Hussein seized all foreigners in Iraq.

²⁷ Edward N. Luttwak, "Gulf War," in *The Reader's Companion to Military History*, ed. Robert Cowley and Geoffrey Parker (Boston: Houghton Mifflin Co., 1996), 194.

²⁸ Luttwak, "Gulf War," 195.

The foreigners were used as political hostages and “human shields.”²⁹ Iraq reportedly kept the innocent foreigners spread out in locations of high military value thereby shielding its military targets from any international military action. Iraq’s actions might have impressed its own people, but the Western nations aligned against Iraq thought it was barbaric. Hussein eventually released the hostages prior to the air war, thinking that “it would open the door for negotiations with the Western powers.”³⁰

Hussein also tried additional scare tactics to frighten the West into accepting his bold move into Kuwait. Iraqi statements prior to the war suggested large mobilizations of new Iraqi divisions and the wholesale slaughter of any enemy troops committed against Iraqi territory, including newly annexed Kuwait. Hussein and his lieutenants hoped to “instill fear, if not in the hearts of the military and political leaders of the West, then at least in the hearts of the common people whom they hoped would influence their governments to pull out from the Allied force.”³¹ Just as the DRV was able to influence American national opinion during the Vietnam War, Iraq was hoping to affect the public opinion of each coalition nation.

Hussein’s ruthlessness with innocent foreigners was just the start of his illegal actions toward political hostages and POWs. Iraq mistreated the coalition airmen it held as POWs for political gain, and violated the Geneva Conventions Relative to the

²⁹ Amatzia Baram, “Calculation and Miscalculation in Baghdad,” in *International Perspectives on the Gulf Conflict, 1990-91*, ed. Alex Danchev and Dan Keohane (New York: St. Martin’s Press, 1994), 32.

³⁰ Amatzia Baram, “Calculation and Miscalculation in Baghdad,” 32.

³¹ Amatzia Baram, “Calculation and Miscalculation in Baghdad,” 32.

Treatment of Prisoners of War. American and British airmen appeared on Iraqi television and were forced to read statements criticizing their governments' role in war.³² This was a flagrant violation of the Geneva Conventions. It was also an obvious propaganda attempt to sway international opinion in Iraq's favor. As in Vietnam, the enemy politically exploited US POWs.

Many coalition POWs were tortured while in Iraqi hands. The Iraqis were very brutal. If not tortured, POWs were frequently beaten. Royal Air Force Flight Lieutenant John Nichol described one of these occasions:

A crowd was around me, whipping, kicking, punching, the blows driving in from all angles. I swerved away from the blows; I could feel the skin bruising in their path. The bones felt crunched under the impact of the thudding boots.

The blood spurting from my nose was thick and grimy on my tongue and teeth. I could not protect myself. They had total control; they could do anything they damn well liked to me, and they could take as long as they liked doing it.³³

According to another British prisoner, the Iraqis used fists, boots, thick plaited rubber straps, wooden sticks, and pieces of rubber hose to beat POWs.³⁴ Sometimes the Iraqis simply threw a POW's head against the wall. These brutal actions illustrated Iraq's contempt for international law and humanitarian values.

³² Ken Matthews, *The Gulf Conflict and International Relations* (New York: Routledge, 1993), 155.

³³ John Peters, Flight Lieutenant, RAF, John Nichol, Flight Lieutenant, RAF, and William Pearson, *Tornado Down* (New York: Signet, 1993), 122.

³⁴ Peters, Nichol, and Pearson, *Tornado Down*, 129-130.

The torture incidents were not isolated. One captured British officer was placed blindfolded on a street corner in Baghdad so the Iraqi people could take their anger out on him. The POW was subjected to beatings, had some hair ripped slowly off his head, had cigarettes stuffed in his ears, and was burned even worse when an Iraqi stuffed toilet paper between his neck and his shirt and set him afire.³⁵ On another occasion, a captured American pilot had his teeth blown out by his captors. “What they [Iraqis] had done was wrap a bare electric cable round his neck and ears and plug it into a car battery. It had blown some of the fillings in his teeth out, and an eardrum in.”³⁶ The Iraqis were starting to use whatever method they needed to break the POWs’ spirit. They wanted the POWs to aid them in their propaganda effort by making statements against their governments and the coalition. However, “the Iraqi effort to solicit sympathy backfired as world opinion was repulsed by Iraqi brutality.”³⁷

This type of POW treatment was not exactly unexpected after Iraq’s callous prewar use of foreigners as human shields. When the war started to look bleak for Iraq, they started treating the POWs better. Realizing the war was going to be lost, Iraq concerned itself with cleaning up its image. After 38 days of air war, the coalition ground offensive kicked off, driving the Iraqis out of Kuwait and southern Iraq in just 4 days,

³⁵ Peters, Nichol, and Pearson, *Tornado Down*, 147-148.

³⁶ Peters, Nichol, and Pearson, *Tornado Down*, 164.

³⁷ Michael J. Mazarr, Don M. Snider, and James A. Blackwell, Jr., *Desert Storm: The Gulf War and What We Learned* (Boulder: Westview Press, 1993), 111.

when the US proclaimed a cease-fire on 28 February.³⁸ For coalition POWs, the war thankfully ended before the Iraqis could inflict more serious injuries and brutalities.

In the Gulf War, Iraq seriously contested US policy in the Middle East. The US and its allies decided to prosecute a limited war against Iraq to regain Kuwaiti sovereignty. The chief instrument in the war was airpower. Coalition aircraft were used to reduce Iraq's ability to control its armed forces, and subsequently used to destroy Iraq's forces deployed in Kuwait and southern Iraq. Prior to launching the attack, coalition forces were cognizant of Iraq's formidable antiaircraft missile and gun defenses, which certainly meant the loss of both aircraft and airmen. Lost airmen translated into probable POWs. But unlike previous limited wars, the US and its allies were prepared for the political ramifications of POWs.

The coalition, notably the US and Britain, devoted significant time and energy to international law issues. "There were careful preparations on many matters, including receiving and looking after POWs."³⁹ These preparations set the stage in case Iraq did not comply with international law. The coalition could simply counter any Iraqi propaganda with examples of coalition adherence to the laws of war and calls for UN inquiries into the safety of coalition POWs. Since Iraq was sure to detest UN inquiries, it would always appear the outlaw nation. US and coalition political preparations effectively blunted any potential Iraqi propaganda before the fighting even began.

³⁸ Luttwak, "Gulf War," 195.

³⁹ Adam Roberts, "The Laws of War," in *International Perspectives on the Gulf Conflict, 1990-91*, ed. Alex Danchev and Dan Keohane (New York: St. Martin's Press, 1994), 269.

It was perhaps no surprise that Hussein studied the Vietnam War and the way the North Vietnamese used US POWs.⁴⁰ Undoubtedly, Hussein wanted to use coalition POWs as leverage in any peace talks. The US and coalition forces were able to defuse any political blackmail on Iraq's part by committing overpowering military force to the limited war. The coalition ability to defeat Iraq militarily mitigated Iraq's efforts for political gain through POW exploitation.

As earlier defined in this study, military victory is when one side in the conflict brings such overpowering military force to bear that the other has no means to resist that military force. By the 28 February cease-fire, it was apparent that Iraq's ability to resist coalition forces was negligible, and the Iraqis recognized the futility of continued hostilities. Given Hussein's preoccupation with survival, he was not inclined to continue the war until Iraq was so badly battered that his own position as head of the regime was endangered.⁴¹ Thus, Iraq capitulated to coalition demands and the goals of the coalition were met—Kuwait was liberated. The coalition achieved military victory, including the immediate return of all US and allied POWs.

In the Gulf War, the US government seemed to understand the role of POWs. If the US had sought a negotiated settlement to end the fighting, the political value of captured US airmen would have come to the forefront. Negotiations would have had to

⁴⁰ Rhonda Cornum, *She Went to War: the Rhonda Cornum Story* (Novato, Calif.: Presidio Press, 1992), 110.

⁴¹ Lawrence Freedman, "The Theory of Limited War," in *International Perspectives on the Gulf Conflict, 1990-91*, ed. Alex Danchev and Dan Keohane (New York: St. Martin's Press, 1994), 214.

achieve the withdrawal of Iraqi forces from Kuwait, and Iraq attempted to legitimize its position by annexing Kuwait. The diplomatic cycle would likely have taken months if not years, during which Iraq would still be holding and abusing US POWs.

Instead of planning negotiations to achieve US policy in the limited war, the Bush administration established military victory as the goal. Military victory allowed the US and its coalition partners to dictate the terms of the political solution. Had Iraq not admitted her defeat on 28 February, coalition forces could have continued occupying even larger swaths of Iraqi territory, denying Hussein control over his sovereign territory. In the event of continued military action, perhaps a POW rescue might have been attempted, but military victory obviated the need for such a risky measure. The only situation which threatened to change US limited war aims and prolong the military action was the poor treatment of coalition POWs by Iraq, which “raised...the question of putting Saddam [Hussein] on trial for war crimes.”⁴² Ironically, the only risk to Hussein’s survival as head of the Iraqi regime was due to his own mistreatment of allied POWs.

The Gulf War was an excellent example of limited war with airpower playing the predominant role, and America’s ability to prepare for the political challenge presented by POWs. US goals were consistent with achieving a swift military victory which assured American dictation of cease-fire terms. A quick victory meant little time in enemy hands for US prisoners and a quick return to friendly forces. The military victory also mitigated Iraq’s perceived leverage of US POWs in a negotiated settlement. Since US vital interests

⁴² Lawrence Freedman, “The Theory of Limited War,” 214.

were at stake and because President Bush explained the severity of the threat to the American public, the enemy gained minimal political leverage due to US POWs.

A final examination of US post-Vietnam limited war experiences and related POW exploitation took place in June 1995. US Air Force Captain Scott O'Grady's F-16 fighter was shot down over Bosnia on 2 June by a Serbian surface-to-air missile (SAM) while conducting a North Atlantic Treaty Organization (NATO) Deny Flight mission.⁴³ The aim of US and NATO policy was to help protect UN safe havens from falling to the latest Serb offensive. NATO forces could only offer to prevent the Serbs and their Muslim enemies from bombing each other's cities and towns by flying Combat Air Patrols (CAP) over Bosnian territory. These CAP missions denied the belligerents the opportunity to use their airpower. Thus the name of the NATO operation: Operation Deny Flight.

The political situation in Bosnia, and for that matter in all of the former Yugoslavia, was very confused. Factions of Serbs, Muslims, and Croats were distributed all across the territory of former Yugoslavia, and the pull of nationalism had them fighting over the same territory to establish ethnically homogenous independent nations. Since the Serb offensive was succeeding in its drive for territory, the UN safe havens were hurting them the most. Territory that would have been conquered was protected by UN troops.⁴⁴

⁴³ Mary Pat Kelly, "*Good to Go*": *The Rescue of Capt. Scott O'Grady, USAF, From Bosnia* (Annapolis: Naval Institute Press, 1996), 1.

⁴⁴ The idea of "protection" by UN troops is quite a stretch of meaning. UN troops occupied the safe haven cities, but were not allowed to fight back and sometimes were taken prisoner themselves by Serb forces hoping to coerce the UN to pull out of the country altogether. Some safe havens had in fact been taken by Serb forces despite the UN presence. Since the UN troops could not fight back, they simply watched. Thus, the idea of "protection" by UN troops was somewhat overstated.

In response to UN appeals for help, NATO began Operation Deny Flight. NATO forces were then viewed as UN allies by the Serbs since NATO, too, was impeding the advance of Serb forces. Just prior to Captain O'Grady's shoot down, "Bosnian Serb leader, Gen. Ratko Mladic, [had] declared war on the United Nations and, by extension, on NATO and the United States."⁴⁵ Mladic undoubtedly considered how his cause could be aided by shooting down an American aircraft and capturing its pilot.⁴⁶ The political leverage against the US would be great, doubly so since America was the leading member not only of NATO, but also the UN.

Serbia had rejected ongoing attempts to negotiate an end to the Bosnian hostilities. After all, the Serbs had no need to negotiate since they were enroute to a military victory. But, if the Serbs should gain a US POW, they could enter negotiations from a position of strength. Serb control of a US POW would "shake up American public opinion and end any thought of further U.S. involvement."⁴⁷ Mladic, like Hussein in the Gulf War, was aware of the past vulnerability of US policy to public opinion as witnessed during the Vietnam War. If that public opinion could be swayed to the view that the US did not belong in Bosnia, the entire NATO and UN mission could fail. This would allow the Serb offensive to succeed in claiming all the territory it wanted in Bosnia, and possibly Croatia and beyond.

⁴⁵ Mary Pat Kelly, "*Good to Go*," 2.

⁴⁶ Mary Pat Kelly, "*Good to Go*," 2.

⁴⁷ Mary Pat Kelly, "*Good to Go*," 2.

The United States, on the other hand, also realized the political turmoil that could result from the Serbs capturing Captain O'Grady. Admiral Leighton W. Smith, Jr., Commander-in-Chief, US Naval Forces Europe, and NATO Commander-in-Chief of Allied Forces Southern Europe, immediately set every asset in his command to locating the downed US pilot. At first Admiral Smith thought the pilot was dead since Captain O'Grady's wingman had not seen a parachute, indicating O'Grady had safely ejected from his aircraft. But later on 2 June, Admiral Smith received word that General Mladic's Serb forces had captured O'Grady.⁴⁸

As a credit to Admiral Smith and the forces under his command, they never gave up looking for Captain O'Grady, especially so since the Serbs were being very uncooperative about letting any US, UN, or media representative see the downed pilot. Admiral Smith started to think the Serbs were lying and for the next six days continued searching for O'Grady. In the meantime, the 24th Marine Expeditionary Unit (MEU), embarked on the USS *Kearsage* off the Croatian coast, readied itself for a rescue operation should friendly forces locate O'Grady in Bosnia.

At last O'Grady was found in the early morning hours of 8 June when he made radio contact with a US aircraft overhead his position in Bosnia.⁴⁹ As soon as communications allowed, Admiral Smith was notified of the situation, and he immediately made the decision to launch a rescue operation using the Marines on the *Kearsage* who

⁴⁸ Mary Pat Kelly, "Good to Go," 40.

⁴⁹ Mary Pat Kelly, "Good to Go," 112.

were on 24-hour alert. The rescue mission was accomplished without a casualty and O'Grady was returned to friendly hands.

The shoot down of Captain O'Grady, although not yet a captured POW, illustrates the valuable option of rescue raids. US policy in the region would be at risk if the Serbs captured a US pilot. Admiral Smith was acutely aware of a captive US pilot's propaganda value. When he talked with his fellow commanders in Bosnia after the shoot down, he said "it's possible they're [Serbs] trying to transport him from Banja Luka to Pale because they would get more propaganda value out of him [O'Grady] in Pale."⁵⁰ This was after General Mladic had announced that O'Grady was in Serb hands, and Admiral Smith was assessing the Serb propaganda possibilities .

The US realized that the Serb forces were very like the North Vietnamese in that both were intransigent during any negotiation attempt. If the Serbs gained control of a US POW, a negotiation nightmare not unlike the Paris talks during the Vietnam War might have developed with the Serbs. The US was all too aware of the difficulties that represented, and thus committed a total effort to rescue the downed pilot.

These few examples of US limited war experiences since Vietnam further illustrate the importance of understanding the relationship between airpower and the exploitation of POWs. The *Mayaguez* incident, Lieutenant Goodman's capture by Syria, the Gulf War POWs, and Captain O'Grady's ordeal all reflect certain aspects of this relationship. Negotiations, military victory, and rescue missions are tools by which US POWs have been repatriated. The method of repatriation depended on the political and military

⁵⁰ Mary Pat Kelly, "Good to Go," 46.

situation, but the overriding factor in combating POW exploitation has been for the US to understand the political environment prior to becoming involved, and planning US war aims based on an understanding of that environment.

CHAPTER VI

CONCLUSIONS

Warfare has changed since World War II. During the Cold War, nuclear weapons led to the limited application of military force and thus to conflicts with goals limited by the mutual realization that resort to nuclear weapons could lead to the destruction of the world as we knew it. Given these frightening consequences, the major powers chose to conduct limited war, often through the use of proxies. The possibility of a nuclear exchange led to the limitation of US war goals wherever and whenever the US government committed the military to supporting US foreign policy.

Politics, long considered an important part of warfare, gained even more prominence since World War II. Long ago, Clausewitz said that “war is merely the continuation of policy by other means.”¹ Politics have an increased role in limited warfare. The US nation-building attempt in South Vietnam and the US coalition-building effort in the Persian Gulf War were examples of political efforts whose absence would have made the introduction of massive US military assistance folly, if not impossible. These political efforts were the foundation upon which the US employed military power. Politics have filled the vacuum created by the limitation of military power. Politics define the goals and scope of US military operations. America’s enemies realized the limitations on the

¹ Peter Paret, ed., *Makers of Modern Strategy from Machiavelli to the Nuclear Age* (Princeton: Princeton University Press, 1986), 200.

military aspects of warfare. They concentrated on the political factors of warfare: subversion, propaganda, and negotiation.

In their zeal for probing America's political weaknesses, enemies of the US discovered a method to develop a political advantage. They used American prisoners of war to gain an advantage in the political aspects of limited warfare. The undermining of America's political foundation was the key to defeating US military efforts. Therefore, America's enemies began to see US POWs as the means to achieving a successful outcome to warfare. It was an easy shift in prisoner policy. In war, there were always prisoners. Instead of simply keeping POWs out of the war and denying their return until after hostilities ceased, America's enemies decided to exploit them.

The treatment of US POWs after World War II signified an abrupt about-face in the trend of improved prisoner treatment. In the course of history, prisoners of war had been killed, used as slaves, held for ransom, and traded for enemy prisoners of equal stature. The Hague Conferences and Geneva Conventions worked to correct the inhumane treatment of POWs. The Geneva Conventions of 1929 and 1949 added increased protective measures for prisoners in response to POW treatment in World War I and World War II, respectively.

The Geneva Convention, however, did not improve the treatment of US POWs. Immediately after the 1949 Geneva Convention, the Korean War began. The belligerents in this war were all signatories of the Convention, which decreed the responsibility of a detaining power to treat POWs humanely. However, the North Koreans and their Chinese allies chose consistently to violate the very Geneva Conventions to which they were bound

as signatories. Thus, the primary US expectation of the revamped Geneva Convention—improved US POW treatment—never materialized. However, the Geneva Convention did result in the establishment of an internationally accepted standard for POW treatment. At the very least, this standard provided a method by which to measure the behavior of America's enemies.

The North Koreans and the Chinese provided no list of prisoners held, permitted no international supervision of the POWs and POW compounds, and allowed no communication between prisoners and their families. All these actions were in violation of the letter and the spirit of the Geneva Convention. In addition, they coerced US POWs to make statements against their government and subjected the POWs to political indoctrination in attempts to convince the POWs to stay in Communist territory after the war.

These actions were for one purpose—the expansion of limited war into the political arena. The statements of US POWs influenced world and US national opinion through Communist propaganda efforts. The North Koreans and Chinese sought to subvert the US war effort by influencing the American public. Their actions directly affected the peace negotiations by making POWs a critically important point with the US and UNC negotiators. The American public, the negotiators, and the US government wanted the POWs repatriated to terminate their poor treatment in enemy hands and to end the war.

Thus, the Korean War began the downward trend of POW treatment in the post-World War II era. The Communists violated the Geneva Convention rights of POWs.

The cease-fire negotiations lasted two years due to the disagreement over the voluntary repatriation of POWs. The enemy was able to use US POWs to subvert public support for the Korean War, to propagandize world and national opinion, and to influence the peace negotiations.

The North Koreans and Chinese had physically and mentally abused US prisoners for their own political devices. The United States was unable to stop such inhumane treatment through escalation due to President Truman's abiding concern that events on the Korean peninsula not trigger World War III and a general nuclear exchange. The US and UNC complied with the Geneva Convention, which made retaliation in kind impossible.² In addition, American principles concerning the humane treatment of all people restricted any poor treatment for captured enemy troops. The US was politically handicapped against the enemy's use of US POWs for political purposes.

The ill-treatment of US POWs continued in the Vietnam War as the North Vietnamese physically tortured large numbers of US POWs. The purpose of such inhumane treatment was to secure POW statements against the US government. The North Vietnamese used these statements for the political subversion of the South Vietnamese people and the US public, the propagandizing of world and US national opinion, and for the favorable outcome of peace negotiations.

² The United Nations Command allowed the ICRC to verify the treatment of enemy POWs starting in mid-July 1950. This was in accordance with the Geneva Conventions which specified that POW camps were to be open to international inspection. Walton K. Richardson, Col., USA, "Prisoners of War as Instruments of Foreign Policy," *Naval War College Review* 23, No. 1 (1970): 52.

The DRV duplication of North Korean and Chinese tactics from the Korean War was very disturbing. POWs once again played an important part in the US war effort. The inability of US military power to secure limited war goals, increased the importance of the political aspects of the war. The North Vietnamese used US POWs, mostly US airmen, to undermine the US political foundation in Vietnam. Enemy propaganda affected the US government, the anti-war movement, presidential politics, and the American public. The DRV forced the US to withdraw by withholding US prisoners until the US promised to withdraw all forces from Vietnam.

The political influence of POWs during Korea and Vietnam highlight the increased need to understand the interaction between POWs, politics, and limited wars. US POWs have played a large part in the success or failure of US policy. The susceptibility of US airmen to becoming POWs makes the use of airpower particularly critical in limited warfare.

America simply can not afford to allow its airmen to languish in POW situations like Korea and Vietnam. The bond between the American people and its military forces is too strong, to say nothing of the policy stated in US government documents pertaining to the responsibility of the US government to use all means for the repatriation of its POWs. This moral contract between the American people, the government, and military servicemen should be reason enough to stir renewed emphasis on the impact of POW politics on US foreign policy.

US prisoners have become too important for the enemy war effort to chance them for anything less than vital US interests. In the post-World War II era, America's enemies

used US POWs as political bargaining chips. They used the bargaining chips to secure the fulfillment of their war goals at the expense of US policy. Rather than combatting enemy moves in limited warfare, the US actually worsened its position by committing air forces, some of which inevitably ended up as POWs. Rash and ill-defined US military action, such as the Rolling Thunder bombing campaign against North Vietnam and the US airstrikes in Lebanon, gave the enemy important diplomatic bargaining chips which later forced the US government to abandon its foreign policy and capitulate to enemy demands.

US POWs also had the unfortunate effect of restraining US military action in limited warfare. Once the enemy captured US POWs, the presence of those POWs helped to deter subsequent attacks on certain enemy areas for fear of killing friendly troops. Additionally, when the North Vietnamese established as a prerequisite for the release of US POWs the withdrawal of all US troops from Vietnam, it placed severe constraints on the US military's ability to aid the government of South Vietnam. This is but one example of POWs restraining US military actions.

Further, America can not afford to allow its POWs to languish in enemy hands because of their propaganda value. Enemies of the US have used American prisoners to influence world and US national opinion. An example of propaganda's effect on world opinion was when other nations began to question America's ability to follow through with our international promises following the US evacuations from Phnom Penh and Saigon, and the *Mayaguez* incident. The US appeared to have placed its POWs and political hostages ahead of its regional commitment, which gave pause to many US allies throughout the world.

The answer is to limit enemy opportunities for the capture of US servicemen and women. The US should not use its military forces, especially airpower, to carry out US foreign policy in non-vital areas. If American forces are not captured by the enemy, then the enemy has no additional political leverage to use in diplomatic negotiations over non-vital areas. Additionally, the US will not then be placed in a position where it either abandons its POWs or capitulates to enemy demands to obtain the return of its POWs thereby losing international credibility.

The US has not been able to depend on international law to curb the inhumane treatment of its POWs. Despite the fact that North Korea, China, North Vietnam, and Iraq were all signatories of the Geneva Convention, each of them mistreated and exploited US POWs. The first major deviation from the Convention occurred during the Korean War, and in its aftermath, no effort was made to amend the Conventions for the protection of POWs. There was simply no guarantee that a new Convention would be adhered to any more than the old one.

It was immediately apparent to violators of the Geneva Convention that there were no consequences to their violations. Without any method of enforcement, it was obvious that for some nations the Convention was nothing more than an expedient promise to respect international law, which they could ignore with impunity whenever the situation so dictated. The benefits thus to be gained far outweighed their obligation under international law.

The United States must fully understand the political environment in which it employs military power in the execution of US foreign policy. The US propensity for

employing airpower in limited wars since World War II has put its airmen in the position of becoming prisoners of war. US airpower must be employed only in vital limited warfare situations to ensure full American commitment. The American public, as well as the US armed forces, understand the need for risking combat forces in the defense of vital interests. In these situations, US political leadership can help to explain why the risk of battle deaths and POWs is necessary. This will help mitigate the political effects of US POWs and consolidate public support for limited warfare. If this can not be done, then airpower is not the answer to supporting US foreign policy in that situation.

This is not to say that airpower is not a formidable force in limited warfare. It is indeed a unique force which is still young when compared to the age of other combat branches. Airplanes have been around for less than a hundred years and technology is still improving aircraft at an amazing rate. The Gulf War was an excellent example of the dominance that airpower can achieve and the importance of using airpower in limited war situations that threaten US vital interests.

In order to understand airpower's potential role in limited warfare situations, the US must have a plan for its use. This must include a thorough analysis of the influence that potential POWs might have on the political situation. The Gulf War offers an excellent example of a limited war situation and airpower's role in the war. Military victories are difficult to achieve in the age of limited war, but not impossible. The Gulf War demonstrated that military victory is possible in limited war. In addition, Gulf War planning illustrates how the enemy's POW leverage can be overcome through preemptive political maneuverings (coalition-building) and a thorough commitment of US military

power. The attainment of military victory allowed the US and its allies to set the terms for immediate POW repatriation.

In limited wars where military victory is not possible, the US would have to pursue a negotiated settlement. The only ways to repatriate US POWs in a stalemated situation are through peace talks (negotiated settlement) or through a POW rescue mission. Repatriation through negotiated settlement means serious concessions on the part of the US. This leaves only a POW rescue mission.

A POW rescue mission involves sending a highly trained military force into enemy territory to forcibly remove US POWs from enemy custody. This type of mission would be impossible without accurate intelligence detailing the location of US POWs. Once they are located, the POWs have to be accessible to the rescue forces and not guarded by a preponderance of enemy troops, or the mission will not be successful. If a rescue is not possible, then the potential for the success of US foreign policy is nil. The war will have to be ended by negotiations, meaning US concessions to the enemy not only to end the war, but also to secure the repatriation of US POWs.

To preclude future political exploitation of POWs, the US should also seek changes to the Geneva Convention. The US should work to add consequences for those nations that flagrantly violate the Geneva Conventions for any reason, political or otherwise. The United Nations would be the ideal body to apply the penalties of international law. As pointed out by Lieutenant Colonel Guelzo, to have an effective codification of the laws of war, there must exist the means of enforcing such laws. Such

laws must define the treatment of POWs. Without the means of forcing compliance with international law, some nations simply will not observe the law:

The law of war is thus far more than simply a function of combat power, but rather becomes a commentary on one aspect of human nature: how man organizes his efforts to eliminate his opposition. The inability of international law to provide precise limits to these collective bursts of bellicosity has turned the law of war into a holding action which is, in view of the dominance of politics..., not proving overly successful.³

In other words, since the nature of warfare frequently places the survival of a nation's government at risk, that government will do whatever it must, including the abandonment of international law, to preserve itself. The goal should be to make the consequence of violating international law worse than any possible gain from the violation. This would help to insure the rights of POWs in limited warfare.

As an addendum to this suggestion, the US should make it policy to find those responsible for the violations of international law. Once identified, the US should actively apprehend the violators and prosecute them under international law. Saddam Hussein should be held accountable for the mistreatment of US and allied POWs during the Gulf War. Bosnian Serb leaders responsible for the actions of their troops in the former Yugoslavia should be held accountable for the atrocities being uncovered there. The active pursuit of international law violators might force the leaders of belligerent nations to adhere to the international norm.

The possibilities do not end with these suggestions. The goal is to aid potential US POWs in the hands of an enemy prone to violate the Geneva Convention for political

³ Carl M. Guelzo, Lt. Col., USA, Retired, "International Law of War," *Military Review* 50, No. 10 (1970): 55.

gain. "If the law of war is what nations wish it to be, then the future is bleak, for little agreement is now in evidence, and few states seem disposed to apply the power necessary to enforce what little can be agreed upon."⁴

It may be that without international commitment to the enforcement of the Geneva Convention, the US will have to pursue unilateral policy changes. Perhaps the US could announce a POW policy of its own, detailing its commitment to harsh punishment of all who violate it. It could be similar to the US commitment on terrorism and political hostages, which is to simply neither tolerate terrorism nor deal for US hostages. US POWs are very similar to political hostages seized through terrorist activities. The POW policy could perhaps be an extension of the terrorism/hostage policy. Whatever the unilateral doctrine might be, it must be announced and enforced to firmly establish the US position and our willingness to hold other nations accountable.

Until any of these changes become reality, the US must understand that prisoners of war and the politics of limited war are strongly connected. The predilection for airmen to become POWs highlights the necessity of careful planning prior to the use of airpower in limited war situations. Attention must be given to the enemy's potential use of POWs prior to military involvement. Without such attention, the US may simply be involving itself in a no-win situation, and committing its servicemen to indefinite captivity in the hands of an enemy who is both inconsiderate of humane treatment and fearless of international retribution.

⁴ Guelzo, "International Law of War," 55.

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